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Nigeria

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BRITISH DOCUMENTS ON THE END OF EMPIRE

General Editor S R Ashton
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Series B Volume 7

Nigeria

Editor
MARTIN LYNN

Part II
MOVING TO INDEPENDENCE
1953–1960

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Nigeria

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Abbreviations: Parts I–II

ACB	African Continental Bank
ADO	Assistant District Officer
AG	Action Group
AMOO	Assistant Medical Officers
ANTUF	All-Nigeria Trade Union Federation
Ass sec	Assistant secretary
AVOO	Assistant Veterinary Officers
BAT	British and American Tobacco
BBC	British Broadcasting Corporation
BDEEP	British Documents on the End of Empire Project
BDPP	Benin Delta People's Party
BOT	Board of Trade
CAMDEV	Cameroons Development Corporation
CAST	College of Arts, Science and Technology
CCTA	Commission for Technical Co-operation in Africa
CBE	Commander of the Order of the British Empire
CDC	Colonial/Commonwealth Development Corporation
CDFC	Commonwealth Development Finance Company
CD&W	Colonial Development and Welfare (Act)
CENTO	Central Treaty Organisation
CID	Criminal Investigation Department
CIGS	Chief of Imperial General Staff
CMS	Church Missionary Society
CO	Colonial Office
Col	Colonial
COLA	Cost of Living Allowance
Con	Conservative (Party)

COR	Calabar-Ogoja-Rivers
COS	Chiefs of Staff
CP	Communist Party
CPP	Convention People's Party
cr	created
CRO	Commonwealth Relations Office
CS	Chief Secretary
CSD	Chief Secretary's Department
Dept	Department
DMS	Director of Medical Services
DO	District Officer/Dominions Office
DOO	District Officers
DPNC	Democratic Party of Nigeria and the Cameroons
ECA	Economic Commission for Africa (UN)
ECN	Electricity Corporation of Nigeria
EP	Eastern provinces
EPC	Economic Policy Committee (Cabinet)
ERDC	Eastern Region Development Corporation
ERPDB	Eastern Regional Production Development Board
Exco	Executive Council
FBI	Federation of British Industries
F(C)O	Foreign (and Commonwealth) Office
FAO	Food and Agriculture Organisation (UN)
FAMA	Foundation for Mutual Assistance in Africa (South of Sahara)
GC	Gold Coast
GCE	General Certificate of Education
GOC	General officer commanding
Gov	Governor
Gov-gen	Governor-general
HE	His Excellency
HMG	His/Her Majesty's government
HMOCS	Her Majesty's Overseas Civil Service
HMPSSFA	Her Majesty's Principal Secretary of State for Foreign Affairs
H of C	House of Commons

<i>H of C Debates</i>	<i>House of Commons Debates (Hansard)</i>
HOGM	(Commonwealth) Heads of Government meeting
IBRD	International Bank for Reconstruction and Development (World Bank)
ICA	International Co-operation Administration (USA)
ICFTU	International Confederation of Free Trade Unions
ICS	Indian Civil Service
IDC	Imperial Defence College
IGP	Inspector-general of police
IRD	International Relations Department (CO)
IS	Internal Security
ITP	Ilorin Talaka Parapo
IUC	Inter-University Council
JIC	Joint Intelligence Committee
JSC	Joint Select Committee
KBE	Knight Commander of the Order of the British Empire
KC	King's Counsel
KCMG	Knight Commander of the Order of St Michael and St George
KNC	Kamerun National Congress
KNDP	Kamerun National Democratic Party
KPP	Kamerun People's Party
Kt	Knight bachelor
Lab	Labour (Party)
Leg Co	Legislative Council
L-G	Lieutenant-governor
MBPP	Middle Belt Peoples Party
MOD	Ministry of Defence
MOF	Ministry of Food
MOO	Medical officers
MP	Member of parliament
MZL	Middle Zone League
NA	Native authority/Native administration
NATO	North Atlantic Treaty Organisation
NBC(S)	Nigerian Broadcasting Corporation (Service)

NCNC	National Council of Nigeria and the Cameroons
NCO	Non-Commissioned Officer
NEC	National Emergency Committee/National Economic Council
NEPU	Northern Elements Progressive Union
NIP	National Independence Party
NKDP	Northern Kamerun Democratic Party
NNDP	Nigerian National Democratic Party
NNFL	Nigerian National Federation of Labour
NP	Northern provinces
NPC	Northern People's Congress
NPF	Nigeria Police Force
NYM	Nigerian Youth Movement
OAG (N)	Officer administering the government (of Nigeria)
OIC	Order-in-Council
OHMS	On His/Her Majesty's Service
OKP	One Kamerun Party
OPEX	United Nations Technical Assistance Programme
P and T	Posts and Telegraphs Department
PC	Privy Council
PIN	Political Intelligence Notes
PRO	Public Record Office/Public Relations Officer
PSC	Public Service Commission
PQ	Parliamentary Question
PWD	Public Works Department
QC	Queen's Counsel
RAF	Royal Air Force
RASC	Royal Army Service Corps
RDA	Reassemblent Démocratique Africain
Regs	Regulations
REME	Royal Electrical and Mechanical Engineers
RN	Royal Navy
RNC	Royal Naval College

RWAFF	Royal West African Frontier Force
S&P	Secret and Personal
SEATO	South-East Asia Treaty Organisation
Sec	Secretary
SG	Self-government
S of S	Secretary of state
T	Treasury
Tel	Telegram
TUC	Trades Union Congress
UAC	United Africa Company
UDC	Urban District Council
UK	United Kingdom
UMBC	United Middle Belt Congress
UNIP	United National Independence Party
UN(O)	United Nations (Organisation)
UNP	United National Party
UPC	<i>Union des Populations du Cameroun</i>
USA	United States of America
USSR	Union of Soviet Socialist Republics
VCIGS	Vice Chief of Imperial General Staff
VOO	Veterinary Officers
WAASC	West African Army Service Corps
WAC	West Africa Conference/Council
WAD	West Africa Department
WAEME	West African Electrical and Mechanical Engineers
WASU	West African Students Union
WFTU	World Federation of Trades Unions
WIDF	Women's International Democratic Federation
WRPDB	Western Region Production Development Board

Principal Holders of Offices 1953–1960: Part II

UNITED KINGDOM

1. *Ministers (Conservative governments from 20 July 1953, the commencing date for Part II)*

Prime minister	Mr W L S Churchill (26 Oct 1951) Sir Anthony Eden (6 Apr 1955) Mr M H Macmillan (13 Jan 1957)
Secretary of state for the colonies	Mr O Lyttelton (27 Oct 1951) Mr A T Lennox-Boyd (28 July 1954) Mr I Macleod (19 Oct 1959)
Minister of state for the colonies	Mr H L D'A Hopkinson (7 May 1952) Mr J H Hare (20 Dec 1955) Mr J S Maclay (19 Oct 1956) Earl of Perth (17 Jan 1957)
Parliamentary under-secretary of state for the colonies	Earl of Munster (5 Nov 1951) Lord Lloyd (18 Oct 1954) Mr J D Profumo (19 Jan 1957) Mr J Amery (1 Dec 1958)
Secretary of state for Commonwealth relations	Viscount Swinton (15 Dec 1952) Earl of Home (12 Apr 1955) Mr Duncan Sandys (28 July 1960)
Minister of state for Commonwealth relations	Mr C J M Alport (22 October 1959)
Parliamentary under-secretary of state for Commonwealth relations	Mr J G Foster (3 Nov 1951) Mr A D Dodds-Parker (18 Oct 1954) Mr A H Noble (20 Dec 1955) Lord John Hope (10 Nov 1956) Mr C J M Alport (18 Jan 1957) Mr R H M Thompson (22 Oct 1959)

2. *Civil servants*

- (a) *Secretary to the Cabinet* Sir Norman Brook (1947–1962)
- (b) *Colonial Office*
- (i) Permanent under-secretary of state
Sir Thomas Lloyd (1947–1956)
Sir John Macpherson (1956–1959)
Sir Hilton Poynton (1959–1966)
- (ii) Deputy under-secretary of state
Sir Charles Jeffries (1947–1956) } joint
Sir Hilton Poynton (1948–1959) } joint
Sir John Martin (1956–1965) } joint
(Sir) William Gorell Barnes } joint
(1959–1963)
- (iii) Assistant under-secretary of state, responsible for the Africa Division, and, from 1955, the West Africa Department
W L Gorell Barnes (Africa, 1952–1954)
C G Eastwood (West Africa, 1955–1961)
- (iv) Assistant secretary, head of the West Africa Department (West Africa Department 'A', 1954–1958)
T B Williamson (1952–1958)
A Emanuel (1958–1961)
- (c) *Commonwealth Relations Office*
- (i) Permanent under-secretary of state
Sir Percivale Liesching (1949–1955)
Sir Gilbert Laithwaite (1955–1959)
Sir Alexander Clutterbuck (1959–1961)
- (ii) Deputy under-secretary of state
(Sir) Saville Garner (1953–1956)
H J B Lintott (1956–1958)
H A F Rumbold (1958–1963)
- (iii) Assistant under-secretary of state
R R Sedgwick (1949–1954)
A F Morley (1954–1956)
H A F Rumbold (1954–1958)
I M R Maclellan (1954–1957)
A W Snelling (1956–1959)
G E B Shannon (1954–1962)
J M C James (1957–1958)
N E Costar (1958–1960)
C M Walker (1959–1962)
D W S Hunt (1959–1960)
R H Belcher (1960–1961)
G W StJ Chadwick (1960–1966)
N Pritchard (1960–1961)

NIGERIA

- | | |
|--|--|
| 1. <i>Governors</i>
(<i>from 1954 governors-general</i>) | Sir J Macpherson (14 Apr 1948)
Sir J Robertson (15 June 1955) |
| 2. <i>Deputy governor-general</i> | Sir R Grey (1957–1959)
A G H Gardner-Brown (1959–1960) |
| 3. <i>Lieutenant-governors</i>
(<i>from 1954 governors</i>) | |
| Eastern Region | Sir C Pleass (1952–1956)
Sir R Stapledon (1956–1960) |
| Northern Region | Sir B Sharwood-Smith (1952–1957)
Sir G Bell (1957–1962) |
| Western Region | Sir H Marshall (1951–1954)
Sir J Rankine (1954–1960)
Sir Adesoji Aderemi (1960–1962) |
| Commissioner of the Cameroons | E J Gibbons (1949–1956)
J O Field (1956–1961) |
| 4. <i>Chief secretary</i> | A E T Benson (1951–1954)
Sir H Marshall (1954–1955)
(Sir) R Grey (1955–1957) |
| 5. <i>Secretary to the governor-general</i>
<i>and the Council of Ministers</i> | A F F P Newns (1955–1960) |
| 6. <i>Council of ministers 1952</i> | |
| Minister of works | Malam Abubakar Tafawa Balewa |
| Minister of social services | Shettima Kashim |
| Minister of natural resources | Alhaji Muhammadu Ribadu |
| Minister without portfolio | Alhaji Usuman Nagogo, Emir of Katsina |
| Minister of lands, survey and
development | Okoi Arikpo |

Minister of works	vacant
Minister without portfolio	Alhaji Usuman Nagogo, Emir of Katsina
Minister without portfolio	Sir Adesoji Aderemi, Ooni of Ife
Minister without portfolio	V Mukete

Members ex-officio:

The governor-general	
The chief secretary	
The attorney-general	A McKisack (1951–1956)
The financial secretary	A R W Robertson (1953–1956)

7. *Council of ministers 1955*

Minister of transport and works	Malam Abubakar Tafawa Balewa
Minister of communications and aviation	K O Mbadiwe
Minister of land, mines and power	Alhaji Muhammadu Ribadu
Minister of natural resources and social services	Alhaji Adegoke Adelabu (from 1956, A Nwachuku)
Minister of trade and industry	R A Njoku
Minister of labour and welfare	Chief Festus Okotie-Eboh
Minister without portfolio	M Mbu
Minister without portfolio	Alhaji Muhammadu Inuwa Wada
Minister without portfolio	K O Balogun
Minister without portfolio	V Mukete

Members ex-officio:

The governor-general

The chief secretary

The attorney-general A McKisack (1951–1956)

The financial secretary A R W Robertson (1953–1956)

8. *Cabinet (National unity government) 1957*

Prime minister Alhaji Abubakar Tafawa Balewa (NPC)

Minister of finance Chief Festus Okotie-Eboh (NCNC)

Minister of Lagos affairs, mines and power Alhaji Muhammadu Ribadu (NPC)

Minister of commerce and industries K O Mbadiwe (NCNC) until 1958
Z B Dipcharima (NPC) from 1958

Minister of communications and aviation S L Akintola (AG)

Minister of transport R A Njoku (NCNC)

Minister of education A Nwachuku (NCNC)

Minister of health A Rosiji (AG)

Minister of internal affairs J M Johnson (NCNC)

Minister of works and surveys Alhaji Muhammadu Inuwa Wada (NPC)

Minister of research and information K O Balogun (NCNC) until 1958
V Mukete (KNC) from 1958

Minister of state Z B Dipcharima (NPC) until 1958
V Mukete (KNC) until 1958

Member ex-officio:

The governor-general

9. *Cabinet (NPC-NCNC coalition) 1959*

Prime minister Alhaji Abubakar Tafawa Balewa (NPC)

Minister of finance Chief Festus Okotie-Eboh (NCNC)

Minister of Lagos affairs and land	Alhaji Muhammadu Ribadu (NPC)
Minister of commerce and industries	Z B Dipcharima (NPC)
Minister of communications	O Akinfosile (NCNC)
Minister of transport and aviation	R A Njoku (NCNC)
Minister of education	A Nwachuku (NCNC)
Minister of health	Alhaji Waziri Ibrahim (NPC)
Minister of labour and welfare	J M Johnson (NCNC)
Minister of works and surveys	Alhaji Muhammadu Inuwa Wada (NPC)
Minister of information	T O S Benson (NCNC)
Minister of mines and power	Maitama Sule (NPC)
Minister of economic development and natural resources	Alhaji Shehu Shagari (NPC)
Minister of internal affairs	Alhaji Usman Sarki (NPC)
Minister of pensions, establishments and Nigerianisation	Musa Yar'Adua (NPC)
Minister of state	M Mbu (NCNC) M Olarewaju (NPC)

Member ex-officio:

The governor-general

10. *Premiers of the regions*

Eastern Region	Dr N Azikiwe (1954–1959) D M I Okpara (1959–1966)
Northern Region	Alhaji Ahmadu Bello, Sardauna of Sokoto (1954–1966)
Western Region	Chief O Awolowo (1954–1959) Chief S L Akintola (1959–1966)
Southern Cameroons	Dr E M L Endeley (1958–1959) J N Foncha (1959–1961)

Chronological Table of Principal Events: Parts I–II

1943

Dec Sir Arthur Richards assumes office as gov of Nigeria

1944

Aug Foundation of NCNC

Dec Richards's constitutional proposals forwarded to CO

1945

Mar Richards's proposals submitted to the Legislative Council

Mar Four 'obnoxious' ordinances passed

June General strike

July General election in Britain; Labour victory

July Banning of *West African Pilot* and *Daily Comet*

July Alleged assassination plot against Azikiwe

Aug George Hall appointed S of S for colonies

Dec Ten-year plan of development presented to the Legislative Council

1946

Jan Visit to Nigeria by Hall

Feb Inauguration of the Zikist movement

Feb Sir Sydney Phillipson appointed to review financial and administrative procedures for local government

Apr Ten-year plan of development commences

Apr Tudor Davies report on the cost of living completed

Oct Arthur Creech Jones appointed S of S for colonies

Dec UNO General Assembly approves trusteeship agreement for the Cameroons

Dec Harragin Commission Report on salaries completed

1947

Jan Richards constitution comes into effect

Jan Inaugural sessions of regional Houses

Feb Bristol Hotel incident

Mar Richards's statement to the Legislative Council on racial discrimination

Aug NCNC delegation meets Creech Jones

Sept Legislative Council approves establishment of Nigerian Cocoa Marketing Board

Nov African governors conference in London
 Nov Sir John Macpherson appointed gov

1948

Jan University College, Ibadan opens
 Feb Accra riots in the Gold Coast
 Apr Macpherson assumes office as gov
 Apr Kaduna Meeting of NCNC and declaration of the Freedom Charter
 May Appointment of the Foot Commission on Nigerianisation
 June Inauguration of *Egbe Omo Oduduwa* in Nigeria
 June Inauguration of Yoruba Federal Union
 June Watson Report on Accra riots published
 Aug Foot report on Nigerianisation completed
 Aug Decision to revise constitution announced to the Legislative Council
 Aug Education Ordinance
 Oct Report of select committee of Eastern House of Assembly on local government
 Nov Arrest of Anthony Enahoro and Osita Agwuna for sedition
 Dec Inauguration of Ibo State Union

1949

Feb Trial of Zikist leaders
 Mar Commencement of local and regional consultations on the proposed new constitution
 Apr Establishment of marketing boards for groundnuts, cotton and oil palm produce
 Apr Gibbons Report on local government
 Oct Coussey Report on constitutional change in the Gold Coast published
 Nov Enugu shootings
 Nov Formation of the NEC
 Nov Appointment of the Fitzgerald Commission
 Nov UNO Trusteeship Council visiting mission to the Cameroons
 Dec Formal establishment of the NPC

1950

Jan Ibadan constitutional conference
 Jan Formation of the MZL
 Feb Assassination attempt on Sir Hugh Foot
 Feb General election in Britain; Labour retains power
 Feb James Griffiths appointed S of S for colonies
 Mar Inaugural meeting of the Action Group
 Mar Opening of Nigeria Office, London
 Apr Zikists banned
 May Eastern Region Local Government ordinance receives royal assent
 June Fitzgerald Report on the Enugu shootings published
 Aug NEPU established

Dec Maddocks and Pott Report on local government in Northern Nigeria completed

1951

Jan Opening of Nigeria Liaison Office, Washington
 Feb Nkrumah appointed leader of government business in the Gold Coast
 Mar Hicks-Phillipson Report on revenue allocation
 Apr Formal launch of the Action Group
 June Macpherson constitution approved by S of S
 June Nigeria (Constitution) Order in Council 1951, laid before parliament
 Oct General election in Britain; Conservative victory
 Oct Oliver Lyttelton appointed S of S for colonies
 July Commencement of elections to regional Houses of Assembly
 Nov Macpherson constitution comes into effect
 Dec Completion of elections to regional Houses of Assembly

1952

Jan Council of Ministers inaugurated
 Mar House of Representatives formally opened
 Mar Nkrumah appointed prime minister in the Gold Coast
 Apr Establishment of the Phillipson-Adebo Commission on the Nigerianisation of the civil service
 May Visit of Lyttelton to Nigeria
 Oct Declaration of a state of emergency in Kenya (Mau Mau)
 Nov UNO visiting mission to the Cameroons
 Dec Expulsion of NCNC central ministers at the Jos Conference
 Dec Establishment of the UNIP
 Dec 'Non-fraternization' policy adopted by AG

1953

Jan 'Sit-tight' crisis commences in Eastern Region
 Feb Formation of NIP
 Feb Western Region local government law receives royal assent
 Mar Enahoro motion for self-government in 1956
 Apr Macpherson and gov Arden-Clarke visit the CO for joint discussions
 Apr West African Forces conference, Lagos
 May Kano Riots
 May Northern House of Assembly 'Eight-point motion'
 June Dissolution of Eastern House of Assembly
 June Coronation day riot in Lagos
 July Commencement of the London constitutional conference
 July Formation of the MBPP
 Sept IBRD (World Bank) mission to Nigeria
 Dec Eastern Region elections; NCNC victory
 Dec Chick Report on revenue allocation completed

1954

Jan	Lagos resumed conference
Jan	Declaration on the public service by Nigerian political leaders
Feb	Phillipson-Adebo Report on Nigerianisation published
July	Alan Lennox-Boyd appointed S of S for colonies
Aug	1954 Constitution Order-in-Council receives royal assent
Sept	Report of IBRD (World Bank) on Nigeria completed
Sept	Oyo riots; Alaafin leaves Oyo
Oct	Lyttelton constitution comes into effect
Oct	Ban on communists holding Nigerian government posts
Oct	Awolowo, Azikiwe and the Sardauna appointed regional premiers
Oct	HMOCS established
Oct	Southern Cameroons becomes a semi-autonomous region with its own House of Assembly
Nov	Commencement of elections to the House of Representatives

1955

Jan	Lennox-Boyd visits Nigeria
Apr	Approval of the interim development plan
Apr	Sir Anthony Eden becomes prime minister
May	General election in Britain; Conservative victory
May	UPC revolt in French Cameroons
June	Report of the Gorsuch Commission on salaries completed
June	Sir James Robertson assumes office as gov-gen
June	Western House of Assembly motion for a Mid-West Region
June	Lloyd report on the Oyo riots published
June	UMBC formed
Sept	Eastern Region government appoints Ikpeazu Commission into bribery and corruption
Oct	Robertson and regional govs visit London to brief S of S on Nigerian affairs
Nov	Azikiwe interview with the S of S
Nov	UNO visiting mission to the Cameroons
Dec	Nicholson report on Ibadan District Council
Dec	Western House of Assembly motion for regional self-government in 1956

1956

Jan	Preparatory conference in Lagos
Jan-Feb	Royal Tour of Nigeria
Mar	Awolowo visit to the S of S concerning regional self-government
May	Effiong Eyo submits motion in Eastern House on ACB affair
May	Elections to the Western House of Assembly; AG victory
July	Replacement of West Africa Command by Nigeria Command
July	Inquiry into ACB affair announced in parliament
July	Eastern Region 'summit conference' on the constitutional conference
Aug	Appointment of Sir S Foster-Sutton to lead inquiry into ACB affair
Nov	Elections to Northern House of Assembly; NPC victory

1957

Jan	Foster-Sutton report into ACB affair published
Jan	Harold Macmillan becomes prime minister
Feb	Hudson Report on local government in Northern Nigeria published
Mar	Independence for the Gold Coast as Ghana
Mar	Elections to Eastern Region House of Assembly; NCNC victory
Mar	Elections to Southern Cameroons House of Assembly; KNC victory
Mar	S L Akintola motion for independence in 1959
Apr	Eastern House of Assembly motion for regional self-government
May	Commencement of London constitutional conference
Aug	Self-government for the Eastern and Western Regions
Aug	Abubakar Tafawa Balewa appointed prime minister
Nov	Commencement of Willink Commission hearings on minorities

1958

Jan	School fee riots in Eastern Nigeria
Feb	'Ad hoc conference' in Lagos
Mar	Merthyr Commission report on constituencies completed
Mar	Death of Adegoke Adelabu; rioting in the Western Region
Apr	Nigerian Defence Council established
Apr	Southern Cameroons gains full regional status
May	Appointment of Dr Endeley as premier of the Southern Cameroons
June	Raisman Commission Report on revenue allocation
Aug	Northern House of Assembly motion for regional self-government in 1959
Aug	Willink Commission report on minorities published
Aug	Motion in House of Representatives for self-government in April 1960
Aug	Formation of Democratic Party of Nigeria and Cameroons
Sept	Commencement of London constitutional conference
Oct	Special List B established
Dec	UNO visiting mission to Cameroons

1959

Jan	Nkrumah visit to Nigeria
Jan	Southern Cameroons elections; KNDP victory; John Foncha appointed premier
Mar	Regional self-government for the Northern Region
May	Lennox-Boyd visit to Nigeria
July	Central Bank of Nigeria formally opened
July	Commonwealth Assistance Loan to Nigeria agreed
Aug	Minister of State, Lord Perth, visits Nigeria
Sept	Report of the Mbanefo Commission on salaries
Oct	Cameroons becomes a direct responsibility of Britain
Oct	General election in Britain; Conservative victory
Oct	Iain Macleod appointed S of S for colonies
Nov	Plebiscite in Northern Cameroons
Dec	Dag Hamarskjold visit to Nigeria and Cameroons

Dec Okpara becomes Eastern premier; Akintola becomes Western premier
 Dec Federal elections; NPC-NCNC form a government under Tafawa Balewa as prime minister

1960

Jan Republic of Cameroun gets independence from France
 Jan House of Representatives resolution for independence in Oct 1960
 Jan Macmillan visit to Nigeria
 Feb French atomic tests in the Sahara
 Mar Sharpeville shootings in South Africa
 May London conference
 May Commonwealth HOGM in London
 June Israeli loan controversy
 July Lagos conference
 July Nigerian independence act passes Parliament
 July Sir Adesoji Aderemi sworn in as first Nigerian governor of the Western Region
 Aug House of Assembly elections in the Western Region; AG victory
 Oct Independence
 Nov Departure of Robertson; Azikiwe becomes gov-gen

1961

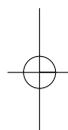
Feb Plebiscites in Northern and Southern Cameroons
 Oct End of British trusteeship in the Cameroons

Summary of Documents: Part II

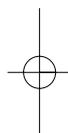
Chapter 6

The London and Lagos conferences and constitutional changes, July 1953–May 1955

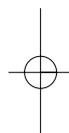
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227	A E T Benson to T B Williamson	21 July Letter on letter from Dr Nkrumah to Dr Azikiwe on unity of Nigeria	2
228	CO for Mr Lyttelton	[July] Brief on Nigeria constitution conference, + <i>Annexures</i>	3
229	CO	21 July Note of meeting with Sir J Macpherson on tactics to be followed at constitutional conference	9
230	CO	22 July Note of meeting between Mr Lyttelton & Sir J Macpherson on London conference	12
231	CO for Mr Lyttelton	[July] Brief on AG & NCNC press campaign against governor & administration of Nigeria	16
232	NCNC & AG	4 Aug Joint memo on central-regional powers under new constitution	18
233	NPC	5 Aug Memo on central-regional powers under new constitution	18
234	Mr Lyttelton	17 Aug Cabinet memo on possible breakdown of constitutional conference over future over Lagos	19
235	Mr Lyttelton	18 Aug Draft statement on '1956 and all that'	21
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237	CRO to UK high Commissioners	23 Aug Tel transmitting Mr Lyttelton's statement at Nigerian conference on Cameroons	29



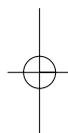
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239	Mr Lyttelton to Sir J Macpherson	4 Sept Despatch agreeing to demand for ministerial departmental responsibilities	33
240	A E T Benson to Mr Lyttelton	4 Sept Savingram on Nigerian reaction to decision to remove Lagos from Western Region	34
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242	A E T Benson to Mr Lyttelton	9 Sept Despatch on likely impact on public service of decisions of London conference [Extract]	44
243	A E T Benson to T B Williamson	10 Sept Letter on Northern reaction to reappointment of Western ministers, + <i>Enclosure</i> : letter from Benson to Sir J Macpherson, 8 Sept	49
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245	A E T Benson To W L Gorell Barnes	18 Sept Letter on AG and NCNC reactions to London conference	57
246	FO to HM diplomatic posts	19 Sept Circular intel on outcome of London conference	58
247	Mr Lyttelton to Sir J Macpherson	28 Sept Despatch (reply to 241) on implementing decisions of London conference	61
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249	T B Williamson, W G Wilson & H T Bourdillon	27–28 Nov Minutes on future of Cameroons following London conference	69
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256	FO to HM diplomatic posts	8 Jan Circular intelligence tel on prospects for resumed constitutional conference [Extract]	85
257	CRO to UK high Commissioners	9 Jan Circular savingram on agenda for resumed constitutional conference [Extract]	85
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265	Mr Lyttelton (Lagos) to Mr Churchill	29 Jan Tel on completion of resumed conference	95
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267	T B Williamson, W L Gorell Barnes, A R Thomas & N B J Huijsman	11–30 Apr Minutes on Phillipson-Adebo Report on Nigerianisation	97
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275	Mr Lennox-Boyd to Sir J Macpherson	27 Oct Despatch on implementation of constitutional changes concerning Cameroons	114
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284	R F A Grey to A R Thomas	17 Dec Letter on consideration by Council of Ministers of compensation scheme for overseas officers	133



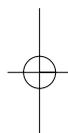
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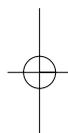
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295	Sir C Pleass to Sir T Lloyd	26 May Letter (reply to 293) on NCNC attitude towards creation of new regions	163
296	C G Eastwood to Sir C Jeffries	30 May Letter on morale among administrative staff in Eastern Region [Extract] + <i>Minute</i> by M G Smith	167
297	M G Smith	31 May Minute on proposals to reform local government in North	169
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342	Sir J Rankine to Sir R Grey	23 Mar Letter on safeguards for public service to be considered at constitutional conference	281

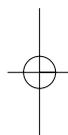
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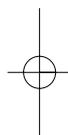
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360	Sir B Sharwood-Smith to Sir J Robertson	18 June Letter on need to accept proposed date for self-government for Northern Region	315
361	Sir B Sharwood-Smith to T B Williamson	18 June Letter on plans to reform provincial administration in Northern Region	316
362	Sir J Robertson to Sir T Lloyd	22 June Letter (reply to 349)	318
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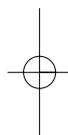
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389	Sir R Stapledon to Mr Lennox-Boyd	26 Mar Savingram on results of Eastern Region House of Assembly elections	388
390	Sir J Robertson to T B Williamson	1 Apr Letter (reply to 388), + <i>Minutes</i> by T B Williamson & Mr Lennox-Boyd	391
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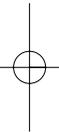
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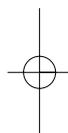
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438	Sir R Grey to C G Eastwood	13 Aug	Letter on likely impact on Nigeria of declaration of a republic by Ghana	517
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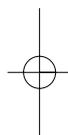


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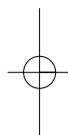
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Preparing for independence: elections, foreign policy, aid, expatriate staff, defence, Commonwealth membership and the future of the Cameroons, Jan 1959–Oct 1960

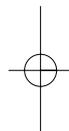
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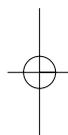
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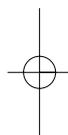
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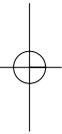
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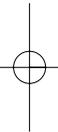
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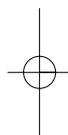


Appendix to Part II

The Northern and Southern Cameroons, Feb 1961–Feb 1962

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226 CO 554/262, no 292

20 July 1953

[Political situation]: letter from A E T Benson to T B Williamson on AG and NCNC strategy in advance of the London conference

One of the most interesting developments in the last week—almost the last four days—has been signs that the Action Group and the N.C.N.C. are both determined to try to present in London a picture of having a nation-wide Party. As always, Awolowo has been out-manoeuvred by Zik and finds himself echoing him rather like a voluble parrot. Zik goes to great trouble to include in his enormous delegation people who come from various parts of the country, e.g. Mr. Mbile from the Cameroons; Mallam Bello Ijumu, whom he calls ‘Secretary of the Middle Belt People’s Party—(as you know, this Party was not heard of until a few weeks ago); and then you get Mr. Gundu, who is said to be ‘President of the Middle Belt People’s Party’. Zik has previously claimed to have three N.C.N.C. members in the Northern House of Assembly.

The inclusion of Ojukwu¹ is also most interesting as permitting Zik to claim support from business magnates and, people with a stake in the country who are all for peace and quiet. What Ojukwu himself wants more than anything *is* peace and quiet, to enable him to run his transport business through the East and the West and the North without having his tyres slashed or sugar put in his petrol tanks. This ‘protection’ has cost him a lot in the past but he is ready again to put a considerable amount of money into a political party’s coffers provided:—

- (a) that political party is going to have enough influence to ensure that tyres are not slashed and that sugar is not wasted;
- (b) that he, himself, Mr. Ojukwu, is able to push out the money as and when he thinks best. In other words is going to keep hold of the money-bag strings

It is for this reason that he has been saying to a lot of us lately that we are going to get a surprise when the Eastern elections come about. Mr. Ojukwu’s money will be effectively laid out under his supervision to put in any candidate approved by him; and by the use of the same money he will be able to ensure that a man like Mbadiwe is *not* elected.

The presence of Ojukwu in the N.C.N.C. delegation will have considerable influence on the Yoruba businessmen in Lagos and Ibadan in that they must either match Ojukwu’s generosity in gifts to the Action Group or be content to see Zik in due course capture the West.

Following Zik’s lead, the Action Group have been even more devastating. They are taking to London Mudi Sipikin (who—the L.G. North says—is one of the three literate Members of the Northern Askianist Movement). They are also taking Mr. Nonyelu from Port Harcourt.

There is combined in this both the idea of indicating that Action Group influence spreads wide outside the West, and also the idea of trying to convince the Secretary of State (or perhaps particularly other Members of Parliament in London) that six

¹ Sir Louis Odumegwu Ojukwu (1909–66), businessman, NCNC politician and member of the House of Representatives until 1956. Chairman of, *inter alia*, the Eastern Nigeria Marketing Board, Nigerian Cement Company and African Continental Bank.

million people in the Middle Belt are violently opposed to the N.P.C.—‘the Sardauna Group’. The truth of the matter is that any of these chaps will sign up with anybody in return for the ride to London and back at somebody else’s expense. Without a word of exaggeration and provided I had unlimited funds, I could charter six 40-seater aircraft and present you with 240 people pledged to fight for Maggie William’s Liberal Party in the next elections. That pledge would, of course, be thrown overboard immediately the return ride was finished, just as any pledges which have been given either to Zik or Awolowo will similarly be thrown overboard if and when it suits any of these curious people to do so.

Zik has, of course, been playing along his alliance with Awolowo just so long as it suits him to do so. Owing to the alliance, he can hold his position in the West whilst at the same time steadily increasing his influence there. He would very much like not to have an open clash in the West until he has won the elections in the East, which is the key to everything; but he has made it quite clear in recent axis meetings that there are certain things, e.g. universal adult suffrage, and the position of Lagos, on which he is adamant; and he is ready, if Awolowo at last has the brains to rumble him, to accept the break-up of the axis now or at any time. That Awolowo may be beginning to get a glimmer of this would also seem to emerge from freer speech about the N.C.N.C. and anti-N.C.N.C. during the last two or three days.

I enclose a cutting from today’s ‘Tribune’ which shows both this and also an attempt to present the Action Group as having Nigeria-wide influence. The leading article in today’s ‘Daily Service’ may also interest you on the same topic.²

I am sending two copies of this and would be grateful if you would pass one on to my Governor.

² Articles not printed.

227 CO 554/258, no 1

21 July 1953

[Political situation]: letter from A E T Benson to T B Williamson on a letter from Dr Nkrumah to Dr Azikiwe on the unity of Nigeria

I think you ought to know that our people here know of a very interesting letter recently sent by Nkrumah to Zik. In it Nkrumah stated that the Gold Coast was very worried about the possibility that the London Conference might result in a three-way split in Nigeria, and particularly over the suggestion that the North might split itself from the South. He thought Zik ought to be prepared to make great sacrifices in order to ensure that all delegates from Nigeria spoke with one voice during the London talks. Politicians in the Gold Coast had experienced exactly the same difficulties with the peoples of their Northern territory at the time when the present Gold Coast Constitution was being put into operation and much had to be sacrificed before unity could be achieved. The C.P.P. of the Gold Coast was not only concerned with self-government within its own territory, but hoped to start a programme of self-government for the whole of West Africa after each territory had gained its own measure of self-rule. If a split took place in Nigeria, then this idea would come to nothing. Nkrumah would have come to Nigeria and toured the North, speaking to the Northern Emirs and political leaders, if he could have got away at the present

time, and this would have assisted Zik. If the Nigerian situation is no further strained as a result of the London talks he would gladly visit Nigeria thereafter, if invited, and contribute his quota towards finding a solution.

One of the interesting things about discussions during the stormy last six weeks has been the great care exercised by Zik not to offend the North. Immediately after the March crisis the West African Pilot and other Zik's Press papers were not so virulent as Action Group papers were in attacking Northern leaders, and they were always wise enough not to attack the Emirs. During the last six weeks these attacks have been practically entirely suspended in the N.C.N.C. papers.

In conversation with H.E. the other day (in the absence of Awolowo for once) Zik enlarged on how objective and reasonable Northern political leaders were and how easy it should be to get on a beam with them.

My own idea on this is:—

(a) Zik realised very early what trouble the Action Group were making for themselves in attacking 'the Sardauna Group' and particularly the Emirs; and, as constantly, he sat back and let Awolowo strangle himself while at the same time pulling his (Zik's) chestnuts out of the fire:

(b) Zik fails to appreciate one hundredth part of the solid hatred felt for him personally by those same Northern leaders and for all those hyaena lieutenants whom he has gathered round him.

I fear conceit and a blindness to disagreeable facts is a common attribute of all our political leaders in the South.

I am not sending a copy of this to Arden-Clarke and you will judge whether or not he should have the information contained in it.

228 CO 554/262, no 272

[July 1953]

[London conference]: CO brief for Mr Lyttelton on the Nigeria constitution conference. *Annexures*

[The conference on the Nigerian constitution met in no. 10 Carlton House Terrace, London under the chairmanship of Lyttelton between 30 July and 22 Aug. Its terms of reference were to examine the defects in the 1951 constitution, to propose changes necessary to remedy those defects and to look at the question of self-government by 1956. 19 delegates from Nigeria, representing six from each region and one from the Cameroons, attended, along with Lyttelton, Macpherson and four delegates from the UK. Representatives of the three main Nigerian parties, as well as NEPU and NIP were present, and included Awolowo, Azikiwe, Aminu Kano, Eyo Ita, the Sardauna of Sokoto and, representing the Cameroons, Endeley. The composition of the delegations caused considerable controversy; in the Northern and Western Regions the majority party in the House of Assembly appointed five delegates, with a sixth coming from the principal minority party, while in the East, four were nominated by the majority party and two by the minority party, in this case the NIP. During the course of the conference the NIP withdrew in protest over decisions made concerning relations between the centre and regions in the new constitution, while the AG withdrew in protest concerning the refusal to re-appoint their nominees as Western ministers to the Council of Ministers. Subsequently the NPC delegation agreed not to oppose the reappointment of the Western ministers. Following the decisions of the resumed conference in Lagos (see 257), an Order in Council was laid before Parliament on 3 Sept 1954 and the new constitution came into effect on 1 Oct 1954.]

Objectives

The three main objectives of the Conference are:—

- (a) to clear the question of 'self-government by 1956' out of the way;
- (b) to record provisional agreement on the major points which would have to be covered by a new Nigerian constitution; and
- (c) to lead the Conference to agree to the appointment of a travelling commission charged with the drafting of an outline constitution, based on (b) above, for consideration at a subsequent conference.

Self-government by 1956

2. This question has already been separately discussed.

Major questions for decision

3. (a) *The number of regions under the new constitution.* Our aim should be to discourage the creation of any new Regions, in particular any Middle Belt Region (for which there is no real demand), but we shall probably have to agree to special arrangements for the Trust Territory of the Cameroons since the Southern Cameroons are no longer prepared to form part of the Eastern Region. The most satisfactory solution of the Cameroons problem from our point of view, since there is almost no prospect of the Trust Territory forming a viable entity on its own in the foreseeable future, would be to incorporate the whole Trust Territory within the Northern Region as a separate province with a special autonomous status and its own consultative assembly (see Annex A). If we put this forward ourselves our motives will be suspect; the most that we can hope for is that it will emerge from the conference and we should then encourage it as tactfully as possible.

(b) *The federal capital.* Lagos will probably be generally acceptable as the Federal Capital, but its status is likely to be a very contentious question which could wreck the conference. Our aim should be to leave discussion of this question until the end of the conference and to accept any solution agreed by the Nigerian delegation. We should intervene in this question only if this should be necessary to prevent a breakdown (see Annex B.).

(c) *The federal legislature.* Our aim should be to obtain agreement to a small elected Federal Legislature at the Centre, in which the North would have 50% of the seats (although entitled to over half on a population basis). The size of this legislature should be left to the conference to decide but our preference would be for one not exceeding say 50 members, including official and special members, taking into account the Northern reluctance to accept any form of central legislature at all. This legislature could legislate on all subjects exclusive to the Centre and on the concurrent list (see Annex III). For its relations with the Executive see (d) below and for the method of election see (f) below.

(d) *The federal Cabinet.* Our aim should be to obtain agreement to a Federal Cabinet, the Unofficial Members of which would be appointed by the Governor from the membership of the Federal Legislature. In order to preserve contact with the Regions the three Regional 'Chief Ministers', and possibly the Leader of the Cameroons Consultative Assembly should be *ex officio* Members of the Cabinet but without portfolio. The portfolios of External Affairs and Defence, Public Order, Justice and Finance should continue to be held as at present by the Chief Secretary, the Finance Secretary and the Attorney-General. The remaining portfolios would be

held by Unofficial Ministers who should number not less than four (one for each Region and one for the Cameroons) and not more than six. The composition of the Cabinet would therefore be:

President	–	Governor
External Affairs, Defence Public Order	–	Chief Secretary (to be known in future as Member for Defence and External Affairs)
Finance	–	Financial Secretary (to be known in future as Member for Finance)
Justice	–	Attorney-General
4–6 Unofficial Ministers		
3–4 Regional Chief Ministers, etc.		

Ministers should have departmental responsibility for the subjects within their portfolios, but this responsibility should not extend to control over staff appointments, discipline etc. which would be reserved to the Governor. The Governor would retain general reserve powers, but (though we ourselves should not suggest this) more closely defined than they are at present, if necessary, to restrict them to questions of external affairs, defence, public order and the Public Service.

The Governor's nominations of Unofficial Members would have to be confirmed by (more than half and not more than two-thirds) vote of the Legislature. The Legislature should also have the power to revoke the appointment of a Minister by a similar majority. In addition the Governor in Council should be given the authority to revoke the appointment of any particular Minister who had forfeited the confidence of his colleagues.

(e) *Regional legislatures and ministries.* We should be prepared to accept changes in the constitution which would grant Regional Legislatures and Ministries the same degree of self-government as is contemplated for the Gold Coast (though H.M.G. have *not* yet taken any decisions about the Gold Coast). In other words, we should be prepared to accept all African Ministries in the Regions, whose Ministers would, as at the Centre, exercise departmental responsibility. Lieutenant Governors then cease to preside over Regional Ministries which would be headed by a 'Chief Minister'. We should not accept any proposal that Regional Ministries should retain one *ex officio* Member. We should prefer Lieutenant Governors to have the same reserve powers as the Governor at the Centre, and would insist that the Attorney-General in each Region was a Public Service and *not* a political appointment. (See (i) below).

(f) *Elections.* The method of election to be adopted within the Regions should, subject to the minimum qualifications for electors and provisions for disqualification being written into the Constitution, be left to Lieutenant Governors to decide after consultation with Regional Ministries. We should aim at obtaining agreement that there should be separate elections to Regional Houses of Assembly and the Federal Legislature and that the Members elected to the Federal Legislature from any particular Region should be elected according to the procedure used for Regional elections modified as might be necessary. Owing to the practically insurmountable difficulties of operating two different kinds of electoral systems in each Region at

Nigeria's present stage of political development, any commitment to a uniform system of elections to the Federal Legislature should be avoided.

(g) *The division of jurisdiction between the Centre and the Regions.* We should obtain agreement that all subjects other than those placed on the concurrent list or on the list exclusive to the Centre should be within the exclusive jurisdiction of the Region. We should also obtain agreement for provisions to be written into the constitution which would enable subjects to be transferred from the Centre to the Regions and *vice versa*. It is desirable in view of the importance attached by Mr. Awolowo to this issue that some provisional agreement should be reached on the allocation of subjects between the Centre and the Regions and a suggested division for use in discussion is at Annex C. No financial subjects are included in this list because it is felt that the allocation of financial subjects cannot be undertaken until general agreement on the new constitutional framework has been reached.

(h) *The Public Service.* We should be prepared to accept the splitting of the Nigerian Public Service into a Federal and (assuming the Cameroons do not become a fourth Region) three Regional Public Services. Our aim should be to retain control over the Regional Public Services in the hands of the Lieutenant-Governor but in order to reach general agreement we should be prepared to accept the same sort of arrangements for appointments to senior posts in the Public Service as are contemplated in the Gold Coast (i.e. that the Governor or Lieutenant Governor should be authorised to make certain senior appointments after consultation with the Chief Minister of the Regions concerned). We should not be prepared to go beyond this and should only be prepared to agree to it provided adequate compensation arrangements could be brought into force.

(i) *Police.* It should be made clear to the conference at the appropriate moment that there can be no question of control over police being handed over to Nigerian Ministers. The police should be Federal, paid for federally, and the Governor would be responsible for them through the Member for Defence. Lieutenant Governors would be responsible to the Governor for the proper employment of police posted to their Region. There would be no objection to the Native Authorities and local authorities maintaining their own unarmed constabulary.

Procedure for revising the constitution

4. The present conference is attended by six Nigerian political delegations of whom at the most two (N.P.C. and Cameroons) are backed by a popular mandate. Furthermore, not only are the Nigerian political leaders anxious not to prolong this conference beyond a fortnight, but the N.P.C. delegation are determined not to accept any decisions except *ad referendum*. It is therefore unlikely that agreement can be reached in the time available except on the major issues outlined in paragraph 3 above, or that such agreement can be other than provisional.

5. It should be a major objective to steer the conference towards accepting the proposal that the provisional agreement reached on the major issues involved should be regarded as the basis on which a small expert commission, to be appointed by H.M.G., should, after visiting Nigeria in the autumn, draft an outline constitution to be submitted to a representative Nigerian conference. After acceptance and/or amendment by this conference it could then be turned over to the legal draftsmen.

6. The form of conference to which the expert commission should report will depend very much on the political circumstances prevailing at the time, and it would

be very much better for the present conference to leave this point over for further discussion between the Governor and the political leaders when the time comes.

7. A subsidiary objective should be to secure the agreement of the conference to a proposal that the constitutional commission should include a federal financial expert to deal with questions of revenue allocation and finance as an integral part of the commission's investigations and recommendations.

Annex A to 228: The number of regions under the new constitution

There are at present three Regions in Nigeria, of which the Northern Region contains over half the population of the country. About one quarter of the population of the Northern Region live in the Middle Belt provinces on the Niger and the Benue, and are neither tribally nor socially closely akin to the true 'Northern' inhabitants. Of recent years the Middle Belt area has become conscious of its differences from the exclusively Moslem Northern Emirates (the Middle Belt population is largely Pagan and Christian) and has formed a separate semi-political group entitled the Middle Zone League which is at present affiliated to the Northern Peoples' Congress. Both the N.C.N.C. and the Action Group are agitating to detach this part of the Region from the rest as part of their plans for disrupting the Northern Region, and the Action Group delegation contains one adviser representing the so-called Middle Belt League which has recently been founded with the object of demanding separate regional status for the Middle Belt area. Separatist tendencies are probably latent in the Middle Belt area but there is no justification for the creation of a separate Middle Belt Region at this stage; whatever grievances the local population may have against the Emirate system, their principal loyalty still seems to be towards the Northern Region rather than to a specifically Middle Belt Region.

The Cameroons is a separate problem. The Southern Cameroons, which form part of the Eastern Region, have made it perfectly clear (also during an interview which Dr. Endeley, the Cameroons delegate, had with the Secretary of State on the 22nd June) that they no longer wish to form part of the Eastern Region, because of their fear of N.C.N.C. and Ibo domination. At present the Northern Cameroons still wish to remain part of the Northern Region. But there has of late been a rapprochement between the Northern and Southern Cameroons and it may be that both parts of the Trust Territory will wish to put forward a demand for separate Regional status. On the other hand it may be that the Cameroons' representatives will be able to reach an agreement with the Northern Region representatives whereby the Cameroons would consent to become part of the Northern Region.

It is extremely unlikely that the Trust Territory as such would at its present stage of development be able to maintain a separate Regional Administration, particularly in view of the very great physical obstacles to free North/South movement in the Trust Territory. It is likely however that the Cameroonian leaders will wish to establish the Cameroons as a separate political entity. A possible solution might be to constitute the Trust Territory as a separate administrative entity with a special autonomous status and place it within the Northern Region. This would enable the Cameroons to handle most of their local affairs and for part of the cost of the administration of the Trust Territory to be borne by the Northern Region. This would mean that special arrangements would have to be made for consultation with the

Cameroons on the Regional Legislature likely to affect the Trust Territory; this could probably best be achieved by establishing a consultative assembly in the Trust Territory to which all Regional legislation likely to affect the Cameroons would have to be submitted for advice. The Consultative Assembly might also be made the vehicle for allocating the future profits (if any) of the Cameroons Development Corporation to development projects. It is possible that if such a solution is acceptable, that the conference might have to establish a committee to work out the heads of agreement.

Annex B to 228: The federal capital

There are two possible solutions for settling the status of Lagos as the Federal Capital. The first is to leave Lagos as a municipality within the Western Region, and to negotiate an agreement with the Western Region Government defining those aspects of Lagos local government and development for which the Federal Government would be responsible. This is a solution which was favoured by Mr. Perry, the Canadian expert who was invited to come to Nigeria in April last to study the problem. The other possible solution, which would probably be much more difficult to achieve, would be to excise either Lagos municipality or Lagos colony from the Western Region and to form it into a Federal Enclave under the direct authority of the Federal Government.

Technically either solution is feasible, but it would be desirable that the Nigerians themselves should decide which solution would suit them best, and that it should not be imposed by H.M.G. unless Nigerian disagreement on this question looked like wrecking the whole conference.

Annex C to 228: The federal and regional lists of subjects

ALL SUBJECTS OTHER THAN THOSE LISTED BELOW WOULD BE EXCLUSIVE TO THE REGION

Exclusive to the Centre

1. External Affairs, Aliens, Naturalisation and Citizenship.
2. Defence and Internal Security.
3. Foreign Trade. (It is for consideration whether the commodity marketing boards should not be excluded from this subject, but there are objections in view of Nigeria's dependence on the revenue obtained from them and because some of them operate in more than one Region.)
4. Currency, Coinage and Legal Tender.
5. Price Control and Rationing.
6. Incorporated Companies operating throughout Nigeria, Copyright, Patents, Trade Marks etc.
7. Grade A Trunk Roads, Railways, Harbours, Shipping, Inter-Regional Inland Waterways and Aviation.
8. Meteorology, Posts, Telegraphs, Telephones, Wireless (other than broadcasting and television).
9. Weights and Measures.
10. Atomic Energy.

11. Federal Public Service, Public Relations, Audit of Federal Public Accounts, and Archives.
12. Police.
13. Mining rights.

Concurrent list

1. Insurance.
2. Research (Agricultural, industrial, medical, etc.)
3. Major irrigation and water works and agricultural development schemes as defined by the Governor.
4. High Education.
5. Industrial Development.
6. Professional qualifications in respect of professions designated by the Governor.
7. National parks, buildings and monuments.
8. Prisons, treatment of offenders against the law, Fingerprints, Identification and Criminal Records; Service and execution in any Region of civil and criminal processes etc. and attendance of persons from any Regions at the courts of any other country.
9. Promotion of transit traffic.
10. Census and Statistics, Registration of Births and Deaths and Commissions of Enquiry.

Provision would have to be made for the transfer of a subject from the Centre to the Region and *vice versa*. A suitable procedure would be for a subject exclusive to the Region to be placed on the concurrent list or within the exclusive jurisdiction of the Federal Government by an affirmative vote of the three Regional Legislatures, confirmed by the Federal Legislature. To preserve a constitutionally strong Centre however it should be laid down that no subject exclusively within federal jurisdiction should be transferred to concurrent or exclusive Regional jurisdiction without in addition to the affirmative vote of the Federal Legislature, the approval of the Secretary of State on the recommendation of the Governor in Council.

229 CO 554/262, no 260

21 July 1953

[London conference]: CO note of a meeting of officials with Sir J Macpherson on tactics to be followed at the constitutional conference

Sir T. Lloyd opened the meeting by saying that he wished to discuss with Sir J. Macpherson what should be the attitude to the demand for self-government in 1956 at the forthcoming conference on the Nigerian Constitution. This decision would influence our subsequent tactics very considerably.

2. Referring to Sir J. Macpherson's Secret and Personal letter of the 15th July,¹ *Sir T. Lloyd* agreed that the Secretary of State would probably wish first of all to hear the views of the Nigerian leaders. If they concentrated solely upon attacking the existing constitution, he would probably ask what amendment they proposed. *Sir J.*

¹ See 225.

Macpherson said that he would then expect Mr. Awolowo to ask for amendments on a scale which would not enable Her Majesty's Government to argue in 1956 that self-government should be preceded by longer experience of the changed constitution. *Sir T. Lloyd* said that he did not think that he would favour the alternative put forward in Mr. Williamson's minute of the 2nd July² (that the Secretary of State should 'take the magic out' of 1956 by offering immediate self-government to the southern Regions), because he felt that this offer would boomerang. It would be contrary to experience all over the world in recent years if the Nigerian leaders did not accept such an offer. *Sir J. Macpherson* said that he would however like to see something like this course adopted in order to clear the atmosphere in Nigeria. He wanted to administer a psychological shock which would put an end to the catch phrase 'self-government by 1956' and which would avoid a further three years of uncertainty and abuse of the Public Service. To continue his forecast of the course of the talks; if Mr. Awolowo asked to be given limited changes now, plus an assurance of self-government in 1956, the Secretary of State could enquire what he meant by self-government. Mr. Awolowo was virtually certain to reply that he required complete control. The Secretary of State could then point out that this would not be acceptable to the North, although it too wanted considerable immediate constitutional change in the direction of Regional autonomy. He could go on to say that he would not be prepared to cover the North, and that as there would be no need to have identical developments in each Region he would be prepared to offer the West and the East self-government immediately. *Sir J. Macpherson* added that, when this course had been tried and the inevitable chaos had ensued, he would like to return to a constitutional framework similar to that suggested in the Colonial Office memorandum.

3. *Mr. Gorell-Barnes* said that when the Secretary of State was asked how far H.M.G. were prepared to go in offering self-government the choice lay between saying that

- (i) the Regions might have all-African Cabinets, or
- (ii) in addition the reserve powers of the Lieutenant-Governors would be withdrawn.

The latter point was a crucial one; the Regions granted self-government would be unlikely to admit that they had made a mess of things if the administration broke down, and he did not think that we could ever return unless the Lieutenant Governors retained their reserve powers. *Sir J. Macpherson* admitted that he did not like the idea of withdrawing and then returning, but hoped that the offer would be the means of drawing the sting at the Conference and taking the magic out of the year 1956. *Mr. Gorell Barnes* wondered whether any proposals short of reconsidering the reserve powers would be sufficient to draw the sting.

4. *Sir T. Lloyd* said that, from his reading of the papers, a possible breaking point with Mr. Awolowo was that of control of the Public Service. *Sir J. Macpherson* agreed that this was so, and that this also applied to the Police. *Sir T. Lloyd* stressed that there could be no question of relinquishing control of the Police as long as the Secretary of State was responsible for good government in the territory. With regard to the Public Service he wondered whether its Regionalisation might not in itself be

² See 222.

such a change as to constitute a change in the conditions of service, which would immediately raise the question of compensation. He wondered how Nigerian politicians would react to this. *Mr. Gorell-Barnes* questioned whether, so long as present criteria governed promotion, it would be necessary to insist on compensation provided that the Lieutenant-Governors retained control of the Public Service, and provided that provision for transfer to other Regions and to other territories continued in force. *Sir J. Macpherson* said that the reaction of the Service would be that H.M.G. would have to guarantee pensions and retiring benefits possibly through the medium of an Overseas Service. In pointing out that this could not be done publicly, *Mr. Gorell-Barnes* likened the position to that of loans floated by the Crown Agents. H.M.G. would have to stand behind such loans in the last resort but could not announce this for fear that borrowers might refuse to repay.

5. *Sir T. Lloyd* pointed out that in Palestine and India H.M.G. had underwritten pensions and that in the case of India this underwriting had meant that H.M.G. had been landed with the responsibility for paying them. He hoped that an undertaking by the local governments in Nigeria might satisfy the Public Service. *Mr. Gorell-Barnes* said that he was very much in favour of getting compensation into the picture as soon as possible. He recalled that in the case of the Gold Coast it had been possible, in return for conceding that certain senior appointments to the Public Service should only be made after consultation with the Prime Minister, to induce the Gold Coast Government to make a statement guaranteeing compensation, and he felt that we should try to achieve a similar result in Nigeria immediately, in return, for example, for a similar offer over Regional appointments to i.e. that some of these should be made only after consultation with the Chief Minister of a Region. In Nigeria, however, unlike in the Gold Coast, there has been little but vilification of the Public Service by southern politicians over the last three years, and it was unpalatable to give the appearance, and unlikely to do H.M.G. any good in the long run, of rewarding sin.

6. *Sir T. Lloyd* asked *Sir J. Macpherson* whether he would be in favour of the Secretary of State speaking to *Mr. Awolowo* and *Dr. Azikiwe* about the conduct of southern politicians, and the standards that would be required from them if Nigeria was to be considered eligible for full membership of the Commonwealth. It was agreed that the Secretary of State should do this, in a small circle, making a very clear distinction in their behaviour over the past 18 months, and that of *Mr. Nkrumah* over the past four years.

7. Returning to the question of tactics at the Conference, *Sir T. Lloyd* said that the real problem was how to make the Centre function and asked *Sir J. Macpherson* whether he would be content if the Secretary of State should adopt a line rather less advanced than that suggested by *Mr. Williamson*. He himself would have thought that the Gold Coast solution, with the retention of the reserve powers by Lieutenant-Governors would with a statement on compensation be a better alternative. *Sir J. Macpherson's* view was that the important thing was to go far enough to administer a shock to *Mr. Awolowo* and *Dr. Azikiwe*.

8. Asked by *Mr. Gorell-Barnes* how far control of the Police could be handed to the Regional Governments if they were conceded all-black Cabinets, *Sir J. Macpherson* replied that whereas there would be no objection to control of the unarmed Native Authority Police residing in the Region, the Nigeria police should in his view be a federal responsibility; this was, however, contrary to the views of the North. *Mr. Gorell*

Barnes thought that the difficulty in regard to the retention of reserve powers in the Regions might be overcome by including internal security in the defence portfolio, as in the Gold Coast, which would place control over the armed Police at the Centre and might enable the reserve powers of the Lieutenant Governors to be removed completely. Sir T. Lloyd stressed that we could not divide this issue from that of who exercised the power of declaring an emergency in a Region; power resided in the hands of whoever controlled the Police. *Mr. Gorell Barnes* thought that his suggestion might present a solution of the difficulty; if internal security were merged with defence, the right to restore order and even if necessary to govern by decree would [sic: lie] in the hands of the Centre, and it might then be possible to concede the removal of the reserve powers from the Lieutenant-Governors.

9. *Sir John Macpherson* asked what the Secretary of State would do if, despite these concessions, Mr. Awolowo and Dr. Azikiwe still demanded self-government by 1956. Sir T. Lloyd, asked in what respect the Governor thought that the concessions which the Colonial Office proposed to offer were inadequate; they seemed to be little different from Mr. Williamson's suggested concession of self-government now. *Sir J. Macpherson* re-emphasised his view that to shock Mr. Awolowo sufficiently the Secretary of State would have to offer to abolish the reserve powers of the Lieutenant Governors, so that administration would be purely the responsibility of the Africans. This offer could, however perhaps best be made not at the Conference table but privately. *Sir T. Lloyd* pointed out that, as the central reserve powers as proposed could only be used in respect of defence (including internal security) and external affairs, this meant that we would have to be prepared to relinquish financial control, including administration of Colonial Development and Welfare funds, in the Regions.

10. Summing up, *Sir T. Lloyd* said that all were agreed that the Secretary of State should offer certain concessions, but that over and above this Sir J. Macpherson felt that the Secretary of State should also offer.

- (i) relaxation of all reserve powers save those over defence and external affairs;
- (ii) control over the Public Service, subject to a guarantee of adequate compensation.

Mr. Gorell-Barnes thought that Mr. Awolowo was not, unlike Nkrumah, a politician and was probably much too intense and intellectual a man to be won over by this means.

11. It was decided that Sir J. Macpherson's proposal should be put to the Secretary of State at the meeting arranged for 5.0 p.m. on Wednesday, 22nd July,³ and that there should be discussion of the major points arising out of the Colonial Office memorandum at a further preliminary meeting, to be held at 10 a.m. on that day.

³ See 230

230 CO 554/262, no 262

22 July 1953

[London conference]: CO note of a meeting of Mr Lyttelton with Sir J Macpherson

The Secretary of State said he understood that the opening move in the constitutional discussions would be to give the leaders of the various delegations

their heads and let them state their case. He asked how long this could be expected to last. *Sir J. Macpherson* thought that this might take about two days. It had to be remembered that to some degree these politicians would be speaking for the record and for the benefit of outside audiences. For instance, the Action Group was close to certain sections of the Labour Party. Dr. Azikiwe presented another difficulty; he was coming to England expressing a studiously moderate line. He might wish to outshine the Action Group in this regard; he was much too astute a politician and much too clever for Mr. Awolowo. He thought that the Action Group should speak first, followed by the N.C.N.C., and then by the N.P.C. Thereafter the minority delegations could have their say. *Mr. Williamson* asked whether the Northern delegation, representing the majority of the population, would not be hurt at speaking third. He had the impression that the North were disappointed at the bad press they had received over the constitutional issue. *Sir T. Lloyd* thought that tactically it would be better to let the Action Group and N.C.N.C. have first say. *Sir J. Macpherson* went on to say that by and large there would be only one speaker for each delegation. *Sir T. Lloyd* asked whether the delegates might not be suspicious of our motives in making these arrangements. *Sir J. Macpherson* did not think so. He thought that they would be reasonable at this stage. This was not to say that there might not be trouble later; there would be plenty of opportunities; e.g. in regard to the replacement of the Western Ministers at the Centre. *Sir T. Lloyd* asked whether this question would be raised at an early stage. *Sir J. Macpherson* thought not, but it was an important question and would have to be discussed and resolved before the delegates returned to Nigeria.

2. *The Secretary of State* said that after the opening statements the conference would presumably go on to discuss self-government in 1956. *Sir J. Macpherson* said that Mr. Awolowo would probably say that he wanted the constitution to be amended and operative until 1956, whereafter Nigeria would obtain full self-government. He envisaged the Secretary of State saying that he would not want to dragoon the North into accepting that proposition, but would it not be possible to look at the position of the Southern Regions alone. He might say that if the Action Group and N.C.N.C. maintained that they would be ready for self-government in 1956; in his view they would be no more ready then than they were in 1953. Her Majesty's Government might not be prepared to wait three years before granting self-government; they would in fact be prepared to grant the Southern Regions all feasible self-government at once. What he, *Sir John*, was after, was something to take the mystique out of 1956.

3. *The Secretary of State* said that he had two doubts about this policy. First, no politician could refuse to accept an offer of this kind. Secondly, he doubted whether it was part of H.M.G.'s responsibility towards colonial peoples to allow chaos to take place in order to convince colonial politicians of the practical difficulties attending premature self-government. He was well prepared to bring the delegates face to face with the stark realities of the situation, but he was not convinced that chaos was a way of doing so. *Sir J. Macpherson* pointed out that what he wanted to do was to administer a major shock to the delegate. He pointed out that the Service was becoming increasingly impatient at what it assumed to be the loss of initiative by Government, and that it was in the South tending to say that if there was a clamour for self-government by 1956, it might as well be granted now. *Sir T. Lloyd* said that the main difference between the Governor's and the Office views on Mr. Williamson's

proposal was that the Office could not see the offer of immediate self-government having the shock effect expected by the Governor. *Mr. Gorell-Barnes* thought that the sooner regional self-government was granted, the sooner the nationalist politicians would be demanding the handing-over of the portfolios for defence and external affairs. *Mr. Williamson* said that there seemed to be two aspects of this question. First, it would be necessary to give the North a cast-iron guarantee that they would not be forced to accept charges for which they considered themselves not to be ready. Secondly, there was the South. We could give any of three answers to the southern demand for self-government in 1956. We could refuse it outright; we could maintain our policy of gradualism; and we could demonstrate their present unfitness for self-government by putting the whole onus for running their affairs on their shoulders.

Sir John Macpherson admitted that if the offer of immediate self-government were accepted one would have to go through with it and accept the chaos, but he didn't like the idea. *Sir T. Lloyd* said that the objection he saw to the offer was that the expatriate staff would resign if self-government were granted immediately; the more chance there was of chaos, the less chance there was of persuading them to stay. Then, when the time came to bring order out of chaos, there would not be the staff to do so. *Mr. Williamson* asked what the alternative was and *Sir John Macpherson* asked how it was proposed to play the 1956 gambit in another way.

4. *The Secretary of State* said that he had not closed his mind to *Mr. Williamson's* plan, which was refreshingly original, but he did not like it. He was sure that if it were carried out, the Administration would resign. *Sir John Macpherson* admitted that *Sir C. Pleass* did not like the proposal. He himself did not think that the young officer would object to working in a self-governing South provided he could fall back on an Overseas Service. *Mr. Gorell Barnes* pointed out that what the Governor wanted was a Gold Coast solution of the question of the public service. What chance was there of getting similar statements out of *Mr. Awolowo* and *Dr. Azikiwe*? *Sir J. Macpherson* did not think that a 'Nkrumah statement' would satisfy the Service in the Eastern Region. The East could not afford to pay the abolition terms. Her Majesty's Government would have to underwrite the statement.

5. *The Secretary of State* thought that it was out of the realm of practical politics to offer self-government now. *Mr. Gorell Barnes* pointed out that the Secretary of State had used similar tactics during his latest discussion with *Mr. Nkrumah*. *The Secretary of State* considered the situation to have been rather different. He was however prepared to say to the Southern Nigerian politicians what he had said to *Mr. Nkrumah* and to say it with great emphasis.¹ As things were not going well in Nigeria it would be best to work out a way of improving the situation. The first principle was that progress would not need to be the same in all three Regions. What were we prepared to concede? *Sir T. Lloyd* said that only control of the Police, control of the public service, and the reserve powers would need to be reserved to the Governor. He did not think that there would be an exodus if control of the public service were conceded provided there were suitable compensation terms. *The Secretary of State* said that control of the police was the real sticking point. One would have to say that if this had to be conceded there would be no alternative to clearing out completely. If one bluffed it had to be done on a colossal scale. He would have to make it clear to

¹ See BDEEP series B vol 1, R Rathbone, ed, *Ghana*, part I, 118.

the nationalists that if the U.K. cleared out completely Nigeria would in effect become a Liberia. One or other politician might be prepared to accept chaos but if that were the case then H.M.G. would have to be prepared to drop *all* its responsibilities towards Nigeria. He wondered however whether this bluff could be played in view of the responsibilities which we would retain towards the North. He thought it might be worth while to examine the consequences of Mr. Williamson's policy a bit more closely.

6. *Mr. Williamson* said that it would be necessary to make the grant of immediate self-government conditional on guarantees safeguarding the North's economic interests and on compensation to the Service for loss of service. *The Secretary of State* thought that in that event, the fairer the compensation terms were, the sooner the Service would resign. Presumably the effects of bad self-government would be that the people would become dissatisfied. They would then however not ask H.M.G. to come back, but would instead try to hold an election to change the Government, ending probably in a first-rate clash. *Mr. Williamson* thought that at this point one would probably have to come back, with troops if necessary. *Sir T. Lloyd* thought that the inevitable effect of self-government would be to lose the European staff, so that even if one returned the staff to restore efficient government would not be available, and it would be many years before one could repair the damage that had been caused. *Sir J. Macpherson* suggested that one would still have the North on whom one could rely. *Mr. Gorell Barnes* was not so sure; chaos in the South might well have the effect of encouraging disruption in the North. *The Secretary of State* considered that, taken all in all, the creation of chaos to demonstrate unfitness for self-government was too drastic a policy and he doubted whether it could be reconciled with H.M.G.'s responsibilities towards Nigeria.

7. *Sir J. Macpherson* agreed with this view but said that he still wanted to blow 1956 out of the water. Unless this were done the situation would remain bad, and the sniping at the Service would continue. Unless there was an improvement in behaviour towards the Service it would be difficult to keep the European staff in Nigeria.

8. *The Secretary of State* thought that his line would be to say that self-government by 1956 was not excluded by H.M.G. but that H.M.G. were not prepared to be tied down to a date. H.M.G. were prepared to introduce quite drastic changes, but none affecting the Governor's control over the Police and the public services, and his reserve powers regarding law, order and good government. H.M.G. would be prepared to accept any constitutional advance subject to these reservations but would also expect an end to further talk about 1956. If the conference broke down on this point then it would have to break down and we would have to accept the consequences. At least H.M.G. would have a good case for their own defence. Their insistence on retaining control over the police would be to prevent it becoming a political instrument; they would be able to justify continued control over the public service for the same reason and the justification for the retention of the reserve powers would be to safeguard H.M.G.'s responsibilities towards the North. He would make it crystal-clear that if the control of the police was not to be left in the Governor's hands H.M.G. would clear out completely and the Nigerians would have to accept the full consequences of this without there being any question whatsoever of H.M.G. being prepared to assist them once they got into a mess. He would make it clear that H.M.G.'s departure from Nigeria would not only mean the loss of expatriate

staff and U.K. economic and other assistance, but also, in all probability, a complete drying up of all foreign investment in Nigeria. His line would be that if the conference wanted him to give way on any of the three essentials or to crystal gaze into the future as regards the date for self-government he would not be prepared to continue the discussion. *Sir T. Lloyd* suggested that it might be possible to substitute a closer definition of reserve powers, to be used if necessary in place of the rather wide phraseology currently used. He also thought that it might be possible to limit the Governor's control over the police to the centrally-controlled police and any police directly controlled by the regional Governments. *The Secretary of State* considered that this would have to be accompanied by guarantees of the status of the local authority and Native Authority police. *Sir T. Lloyd* suggested that the Governor might like to think over these points. *Sir J. Macpherson* said that he thought that the Secretary of State's proposed line should clear the air on 1956. He did not mind trouble if the position could be perfectly clearcut.

231 CO 554/604, no 9 [July 1953]
 [Press attacks]: CO brief for Mr. Lyttelton on the AG and NCNC press campaign against the governor and the administration of Nigeria

[During 1953 virulent press attacks on Macpherson and other officials became particularly pronounced, with the *Daily Service* and *Daily Tribune*, both AG papers, leading the way. This reflected a broader AG policy of 'non-fraternisation' with Macpherson, agreed at the Benin conference of the party in Dec 1952 and which continued until the end of 1953. During 1953 the Nigerian government considered various policies to counter this press campaign; this included consulting the BBC for advice and examining the possibility of recruiting extra staff for the NBS News and Talks unit to put forward 'an impartial exposition . . . of government policy' in what was termed 'Operation Lucifer' (CO 554/604, no 10, Benson to Gorell Barnes, 23 July 1953).]

Recommendation

That the Secretary of State should during the course of the constitution conference take the opportunity of taking Dr. Azikiwe, Mr. Awolowo and Mr. Akintola privately to task for the scurrilous and irresponsible attacks delivered by their party newspapers on the Governor, and for their incitement to something dangerously approaching civil disobedience.

Background

2. Since the ministerial crisis at the end of March, when the four Western Region ministers resigned from the Council of Ministers, the Action Group and N.C.N.C. newspapers have conducted a violent and irresponsible campaign not only against their political opponents, but also against the Administration. The main object of their attacks has been the Governor himself, although of late the Chief Secretary has become a secondary target. Furthermore, in pursuing their campaign for self-government by 1956, these newspapers have not hesitated to preach, virtually, civil disobedience and in some cases to threaten the introduction of a Nigerian Mau Mau.

3. In this campaign the N.C.N.C. press, possibly profiting from past prosecutions, has shown itself to be more astute and careful than the Action Group press in

keeping within the letter of the law. This is not to say that Dr. Azikiwe's newspaper 'The West African Pilot' does not take every opportunity to attack the Administration, but it does so more obliquely and in more generalised manner than the Action Group press. It also avoids personal attacks upon the Governor.

4. The Action Group newspapers are particularly outspoken in their attacks upon the Governor. The worst offender is the 'Daily Service' which is under the direct control of Mr. Akintola, the former Western central Minister of Labour. Samples of the sort of attack delivered upon the Governor are at Flag 'A'. An even more irresponsible line followed by the 'Daily Service' is to threaten incitement to violence (See Flat [sic] 'B').¹ Its leading articles frequently offend against the anti-sedition provisions in the Nigerian Criminal Code and it has recently been successfully prosecuted for sedition. The 'Tribune', Mr. Awolowo's personal newspaper, is not so extreme in its attacks but it too exceeds the bounds of reasonable conduct and is awaiting prosecution for sedition.

5. Although the combined circulations of the Zik and Action Group press are less than that of the only independent newspaper in Nigeria, the 'Daily Times' (owned by the London 'Daily Mirror'), they make up for their small circulation by the violence of their views, which can cause considerable harm amongst the excitable and largely unsophisticated peoples of Southern Nigeria, and which do accentuate the estrangement between North and South. The tone of the nationalist press is an obstacle to any reasonable solution of Nigeria's political problems.

6. The fault does not lie with the party press alone. It takes its tone from its leaders' political speeches. Here Mr. Awolowo again outpaces Dr. Azikiwe in attacking the Governor and advocating civil disobedience (see Flag 'C').

7. Local prosecutions may effect a temporary improvement, but there will never be a permanent improvement unless Dr. Azikiwe, Mr. Awolowo and Mr. Akintola have the consequences of their irresponsibility forcibly brought home to them, and are convinced that it will not only get them nowhere but will also do great harm to Nigeria's standing in outside esteem, apart from exacerbating the political and inter-tribal hatreds which bedevil Nigerian politics. It is recommended that the Secretary of State should impress this very forcibly upon them and should also emphasize the dangers of whipping up political emotions for party ends. It is probable that the gentlemen in question will express full agreement with the Secretary of State, and explain that they are unable to control the newspapers concerned. If they take this line, the Secretary of State should refuse to accept it.

8. A point that might go home is that utterances of this kind give rise to the idea that their authors do not really aspire to responsibility. As they must realise, habits of irresponsible vituperation and incitement cannot just be turned off when they seem to have served their immediate purpose, but are apt to become part of the political practice of the country. Do Dr. Azikiwe and Mr. Awolowo want to see a fully independent Nigerian Government habitually treated in this way? If so they are going the right way about it. Compare the persistence, to the great embarrassment of Mr. Nehru, of the practice of civil disobedience long after the attainment of independence by India.

9. Finally the Secretary of State might point out that in the eyes of the world a country is to a large extent judged by the behaviour of its press and the decorum of

¹ Samples not printed.

its leaders. Unless in their newspapers and public speeches they can learn to treat Her Majesty's representative with proper respect, existing full members of the Commonwealth are unlikely to be favourably disposed to support the admission of Nigeria to full and independent membership of the Commonwealth ('Dominion status') if and when the time for that arrives.

232 CO 554/279, no 8 4 Aug 1953
 [London conference]: joint memorandum by the NCNC and AG on
 central-regional powers under a new constitution

1. Nigeria should have a Constitution which is Federal in character;
2. The Federation should have three Regions as at present; (but it is believed that in a self-governing Nigeria the Federation should consist of more than three Regions to be determined by a Constituent Assembly);
3. In the present Federation, between now and 1956, a number of specified subjects should be assigned to the Central Government and the Residual Functions should be vested in the Regional Governments; the details of the subjects to be vested in the centre are contained in the First Schedule attached hereto;¹
4. The Civil Service should be controlled by the Legislature and not by the Governor or Governor-General;
5. The Royal Sign Manual should be amended in respect of the discretionary powers of the Governor and the Lt-Governors, i.e. Section 4(2) (iii);
6. The powers contained in the Second Schedule shall be exercised by the Governor-General in his discretion;
7. The amended Constitution should contain a declaration of certain basic Human Rights such as Freedom of Movement and of Assembly for Nigerian Citizens in all parts of Nigeria.

(Sgd.) N. Azikiwe.

(Sgd.) Obafemi Awolowo.

¹ Not printed.

233 CO 554/279, no 9 5 Aug 1953
 [London conference]: memorandum by the NPC on central-regional
 powers under a new constitution

1. It is essential that the three Regions of Nigeria should have some form of association at the Centre on matters common to all e.g. Defence, External Affairs, Customs and West African Research Institutions.
2. There shall be no central legislative body and no central executive or policy making body for the whole of Nigeria.
3. In place of the present House of Representatives and the Council of Ministers there shall be a central organization to be called a Central Agency which will be responsible for subjects mentioned in the schedule attached¹ and any other matters delegated to it by the Regions.
4. The composition, powers and responsibility of the Central Agency shall be defined by the Order in Council establishing the new constitutional arrangements.

5. The Central Agency shall have its own staff and works organization.
6. The Central Agency shall be at a neutral place preferably Lagos.
7. Each Region shall have a separate public service.
8. The Civil Service shall never be put under the control of the legislature.

¹ Not printed.

234 PREM 11/1367, no 375

17 Aug 1953

[London conference]: Cabinet memorandum by Mr Lyttelton on the possible breakdown of the constitutional conference over the future of Lagos

The Conference on the Nigerian Constitution under my chairmanship has been sitting daily (with one day off) since 30th July. Its hours have usually been from 10 a.m. to 1 p.m. and from 3.30 p.m. till 6.

2. As I write this the news gleaned from reliable sources is that the Conference is about to break down on the subject of Lagos. The quarrel is a Nigerian quarrel and not between Her Majesty's Government and the Nigerians. I fear that I must trouble my colleagues with some account of the background and of the issues involved.

3. British Africa has a population of 60 millions of which Nigeria accounts for more than half. Of the 30 million Nigerians about 17 million are Northerners. The revenues have risen from £6–7 millions immediately before the war to £44 millions last year. As my colleagues will recall, the present constitution originated about two years ago under the auspices of the Labour Government. It provides for a federal system of Northern, Western and Eastern Regions under a Central Government at Lagos. Lagos is incorporated in the Western Region but remains the capital. It is unnecessary to give an account of the tangled reasons which have led to the breakdown of the constitution. The present Conference was convened to consider its amendment. I will confine myself to the main issues.

4. Nigeria is inhabited by many races and no doubt the delegates would give the anthropologist some pause. Through their cranial differences he could perhaps trace some of the twelve races of Nigeria. For my purposes it is enough to point to three main divisions—the Hausa and Fulani of the North, Muslims and warriors, with the dignity, courtly manners, high bearing and conservative outlook which democracy and the Daily Mirror have not yet debased; and the Yoruba West and Ibo East, pagan or Christian, with higher education and lower manners and inferior fighting value, somewhat intoxicated with nationalism, though loyal to the British connection at least so long as it suits them.

5. The Northern spokesman is Abubakar Balewa—his sobriquet 'the golden voice of the North'—a natural orator with real eloquence, nearly perfect English and all the arts of modulation at his command. The East is represented by Dr. Azikiwe, an American-educated demagogue, who makes few interventions but is able, persuasive, apparently moderate and wholly unreliable; the West by Mr. Awolowo with a flood of words always on the same wave length, a lawyer with considerable legal equipment and outstanding ambition. He is no more reliable than his Eastern colleague. The last two are in an unholy but I believe temporary alliance. I can only claim as

chairman to have concealed, I hope completely, the mounting impatience and deepening cynicism with which I have looked out upon this motley assembly tackling the niceties of constitutional balance. The fundamental cleavage is of course between the Muslim North and the pagan and Christian South, that is the Eastern and Western regions. It was asking much to expect so widely divergent elements to work an elaborate constitution.

6. Apart from these fundamental racial and religious differences one of the principal causes of the breakdown of the present constitution in my opinion has been that the regions were not given enough autonomy; another is that the Central Legislation [sic] and Executive were selected under the constitution by the Regions, which thus acted as sort of electoral colleges for the Centre.

The first of these disabilities we have overcome at the Conference by greater devolution, that is by a much shorter list of exclusive Federal powers and by leaving wide residual powers to the Regions.

I tried to persuade the Conference to adopt separate elections for the Centre so as to resolve the second problem but I have been unsuccessful.

The second difficulty has been indeed perpetuated by the Conference unanimously adopting the old system. One political party, the National Independence Party, withdrew at this point, not without substantial reasons. The causes for this perverse and pusillanimous decision to leave ill alone are easily understandable but are outside the scope of this paper.

7. The controversy over the whole constitutional issue is a controversy between Nigerians and not between Her Majesty's Government and Nigerians. I have thus tried to guide and not to impose. A large number of reefs has been navigated by agreement, but the ship is now about to wreck itself on Lagos island.

8. The North with their deep but already somewhat shaken trust in the British and distrust of their 'brothers' in the West and East fear that the greater autonomy now suggested for the Regions will lead to the West seceding when it suits them. The West incorporates Lagos, at once the commercial and political capital of Nigeria and the only effective outlet to the sea for the trade and commerce of the North.

9. These fears are not groundless or insubstantial. The North now insist upon Lagos being a federal area under separate administration so as to safeguard it from becoming a Yoruba preserve and to make sure that their access to the sea remains open. The East, though ostensibly wishing to defer discussion on Lagos, are known to share the views of the North.

10. We cannot let the North down. They are more than half the population, more attached to the British and more trustful of the Colonial Service than the other two.

The West will not agree to lose Lagos and its predominantly Yoruba population: a deadlock is impending and by the time the Cabinet comes to read this paper will probably have occurred.

11. I propose therefore with the consent of my colleagues to break the deadlock by a decision of Her Majesty's Government who after all retain responsibility for the good government of Nigeria and are answerable for it to the House of Commons. If my colleagues agree I shall state that we have decided to excise Lagos from the West and to administer it directly by the Governor of Nigeria as the Federal capital under a Commissioner until the Nigerians themselves agree as to its future. The result will certainly be trouble and as likely as not some riots in Lagos and the West. They can probably but not certainly be dealt with by the five battalions stationed in Nigeria and

the Police. I fear, however, that we shall be able to add Nigeria to Malaya, Kenya and Central African Federation as further diet for our political opponents. But it is a Nigerian quarrel and to act otherwise would be to alienate our friends, probably drive them into secession, to cast aside our responsibilities and to leave a dismembered Nigeria to settle its own differences perhaps with the spear.

12. I ask my colleagues to consent to my policy. It will doubtless be represented as imperialistic. I believe it to be inescapable.

235 CO 554/262, no 296

18 Aug 1953

[London conference]: draft statement by Mr Lyttelton on '1956 and all that'

Mr. Awolowo and Dr. Azikiwe asked that this item should be included in the terms of reference of the conference; and I myself was most anxious that it should be included so that we could have a frank discussion on it.

As I understand the position all the regions in Nigeria—or perhaps I should say rather all the political parties represented round this table—have as their aim the achievement of full self-government as soon as practicable. The only difference between them is that, whereas the Action Group and the N.C.N.C. have for some reason chosen 1956 as the year by which self-government will be practicable the N.P.C. do not yet feel certain when Northern Nigeria or a Federal Nigeria which includes the North will be ready for self-government.

Now one of the aims of the Colonial policy of Her Majesty's Government is, as has so often been stated, to help the British Colonial territories to achieve self-government as soon as circumstances permit in each case. That these are no idle words has, I think, been proved by the actions of Her Majesty's Government throughout the Colonial Empire since the war and in west Africa certainly no less than elsewhere.

But self-government does not create in a territory that limited measure of unity and harmony without which it cannot flourish. The progress of a territory in mutual respect and confidence and in other aspects of the art of living harmoniously together, like progress in other fields, is one of the conditions which make self-government possible—that is to say if self-government is not to be anarchy. And Her Majesty's government would not consider that they had fulfilled their duty if they gave up a Colonial territory to anarchy.

There is one other point which I must make clear namely that Her Majesty's Government do not intend to force self-government either upon any part of Nigeria before it itself feels ready for it or upon Nigeria as a whole so long as any substantial part of it does not consider the time for it is ripe.

At this point some of you may be tempted to murmur 'divide and rule'. I reject any such suggestion. So far from attempting to 'divide and rule', Her Majesty's Government are at this moment doing just the opposite in two senses.

First Her Majesty's Government are taking part in an exercise to give the Regions greater autonomy for certain governmental purposes so that within the limits of those purposes the regions can enjoy a substantially increased measure of self-government.

Second, Her Majesty's Government are doing all they can to keep Nigeria united for other purposes so that she can have yet one more chance to show that her various elements can in fact work together harmoniously and so come to qualify for self-government as a whole.

In both these respects I believe that the steps which this Conference is recommending, and which I have undertaken to support, go as far as it is wise or indeed possible, to go at present. When it will be possible to take the final steps, or even further steps, on the road to self-government depends not on the running out of a certain number of days, months or years, but on the ability of Nigerians to overcome such disruptive forces as there are within Nigeria.

Of late we have seen too much of these disruptive forces. In this Conference the country's leaders have made a start, in some respects only a modest start, in trying to overcome them. After they have returned to Nigeria, Her Majesty's Government will watch their efforts to maintain and improve upon that start with sympathy and with understanding. But in the meantime neither I nor Her Majesty's Government can be in any way committed to any date or to anything beyond the conclusions reached at this Conference which I have undertaken to support.

It follows that I cannot accept the proposal for a Constituent Assembly in N.C. (53) 39:¹ I would only do that if I were satisfied now that Her Majesty's Government would be justified in granting full self-government in 1956. But I see no objection to the constitution being reviewed at that time and if the word 'Conference' can be substituted for the words 'Constituent Assembly' then I can accept the proposal.

¹ This refers to a joint proposal by the AG and NCNC dated 17 Aug, which read: 'Not more than three years from Aug 31st 1953, there will be convened in Nigeria a Constituent Assembly consisting of delegations from each region of the Federation chosen by their respective governments in such a manner as to ensure adequate representation of all shades of political opinion in the Federation for the purpose of reviewing the constitution'.

236 CO 554/278, no 29 19 Aug 1953 [London conference]: minutes (CNC 18(53) 1 & 2) of the eighteenth plenary meeting of the constitutional conference

[On 19 August Awolowo led the AG delegation in withdrawing from the conference. This walk-out, said Awolowo, was promoted by a number of factors, including Lyttelton's decision to separate Lagos from the Western Region. The final straw was a statement by Tafawa Balewa during the conference that Northern ministers had threatened to resign if Thomas and Akintola, two of the four Western ministers who had resigned from the Council of Ministers following the self-government debate on 31 March, were reappointed. In a statement issued on 20 August following his walk-out, Awolowo stated 'I would like to repeat that we consider it extremely humiliating to be dictated to by the Northern Region in the choice of our representatives on the Council of Ministers . . . we are unable to see how the amended constitution can even have as much as a semblance of working at all, much less satisfactorily, and feel ourselves obliged to refuse to participate further . . .' (CO 554/279, no 42).]

1. *Self government in 1956 (Previous reference: NC(53) 17th meeting, Minute 2)*
The Hon. Obafemi Awolowo said that the Action Group had given careful thought to the achievement of self-government in 1956. Self government in 1956 was not just an empty or frivolous demand, but a demand made in all seriousness by the people of Southern Nigeria. It was not possible, for reasons he had given, for the people of the

South to test the views of the people of the North upon the subject, but the South most definitely wanted self-government by 1956. It was in the best interests of Nigeria and of Great Britain that Her Majesty's Government should be graciously disposed to grant that demand, at least for the people of the South. He appealed to the Northern Peoples' Congress to reconsider, for the good of the country as a whole, the stand they had taken on the question, so that all the delegates could return to Nigeria and there consider the establishment of a constituent assembly to decide upon the means of instituting self-government in 1956. They had already considered, found good, and adopted other suggestions put forward to the Conference by the Action Group and the N.C.N.C. The Northern Peoples' Congress were not doubting their own ability for self-government; they had already said that they wanted self-government, but would prefer to achieve it by stages.

Self-government in the Northern Region and indeed throughout Nigeria did not mean that all the British officials would be asked to leave the country. The fear of the North that they might be dominated by the South should be dispelled now that it had been agreed that the North should control their own public service.

The Action Group were demanding that the Nigerians as Nigerians should control their own policy and decide their own fate. If this was granted, it did not imply that they would automatically pursue a foreign policy entirely different to that of Her Majesty's Government. It would be in their own interest to remain within the British Commonwealth of Nations, but as a self-governing nation, and that British technicians and officials should remain in Nigeria on good terms. The Dominions had found it necessary to remain within the British Commonwealth and share a common defence force, and it was in the interests of Nigeria that once self-government was granted, she should do likewise.

All Nigerians should have in mind, and work for, self-government in 1956. He appealed to Her Majesty's Government to re-consider its stand on the matter and grant the request for self-government in 1956; this matter transcended all other considerations.

The Hon. Abubakar Tafawa Balewa said that those from the North who lived by accident in the South were aware that some people in the South were themselves doubtful of the wisdom of fixing a definite date for the achievement of self-government. The Northern Peoples' Congress fully understood that when the Action Group advocated self-government in 1956, they did not mean to eject all British officials from the country at that date.

When the motion for self-government in 1956¹ was put before the House of Representatives the Northern Peoples' Congress had done everything in its power to ascertain the views of the Northern people on the question. The two Northern Houses had met to discuss the matter and questionnaires on the subject had been prepared and distributed widely among the people. The majority of the people of the North had then stated that they saw no reason to fix a target date for the achievement of self-government. It was wrong of the Action Group to ask them to change their minds. They wanted self-government, good self-government, but they wished to work for it and they hoped that they would reach it by stages. The amendments to the present Constitution now agreed upon by the Conference meant, in fact, going along by stages. They were not prepared to agree that a date for the achievement of self-

¹ See 187.

government should be fixed at the present stage. It was however possible that their attitude might change by 1956.

Mr. Lyttelton said that Mr. Awolowo had pressed Her Majesty's Government to subscribe to the doctrine of self-government, for the South at least, in 1956. For his part, he saw no reason why any political party should not work to that end within the Region, but nothing must be done which would interfere with the operation of the Federal Government. Measures taken towards self-government within the Regions could not apply to the Centre also. For example, if there should be two completely self-governing Regions and one Region controlled by the Centre, the credit of Nigeria would be at stake as it would be impossible to raise any revenue with which the country as a whole could compete on the international market, because the self-governing Regions could refuse to provide their contribution to the Central revenue if they so wished.

He was prepared to say, on behalf of Her Majesty's Government, that all Regions could carry out studies of moving towards self-government, provided that nothing was done which would impede the operation of the Federal Government or injure the financial credit of Nigeria. He thought it would be possible to have Regional Governments in a different stage of self-government within the Federation itself but what could not be was that any one Region should have complete and absolute sovereignty; there would not then be any possibility of a Federation. If one Region did not want to fix a target date for the achievement of self-government then some safeguard must be provided so that no other Region could govern itself in such a way as to imperil the agreed principle of Federation. He thought that the solution to the problem would be that measures towards self-government should be worked out in so far as the Eastern and Western Regions were concerned, provided that it could be shown that these measures would not, through the exercise of sovereignty, cause the breakdown of the Federation itself. These two Regions could carry their development of government further than the Northern Region as they wished, but there must be safeguards to prevent any of these developments from causing a breakdown in the Federation or disrupting the unity of Nigeria as a whole. The principle would be that there would then be three Regions, each in a different state of internal government, but still part of, and owing loyalty to, the Central Federal Government. Absolute sovereignty for any one Region was, as he had said, completely impossible, but the solution he proposed went a very long way towards it.

*Mallam Bello Ijumu*² said that the Northern Elements Progressive Union believed that Northern Nigeria already possessed leaders capable of operating self-government in Nigeria even if it were granted forthwith. He did not therefore understand the reason for the fear of the Northern Peoples' Congress of fixing a date for the achievement of self-government. The idea of setting a definite date meant that Her Majesty's Government would not be taken by surprise, but would be fully aware of the country's intentions and demands. It laid down a plan so that the Government could work hand in hand with the people for the achievement of their declared objective. It was not true to say that the North did not want self-government in 1956; this was not so.

² Malam Bello Ijumu, founding member and general secretary of NEPU. He later left NEPU and became a leader of the MBPP; later still he became secretary of the AG in Kabba province. However he sat at the London conference on the NCNC delegation.

The Hon. Obafemi Awolowo said that if Mr. Lyttelton was prepared to make a categorical statement that the South could proceed towards self-government in 1956, then the South were prepared to accept the setting up of machinery for that purpose. He agreed that it was impossible to concede the existence of absolute sovereign power in any one Region, as this would prevent a truly Federal system of Government. They must however consider the details of the new arrangement proposed and its effect upon the Central structure.

Mr. Lyttelton said that Her Majesty's Government were willing to make a statement to the effect that they were prepared to subscribe to the wishes of the Eastern and Western Regions that they should have as complete a form of self-government as possible, but it must be within the Federal system of Government agreed upon, and nothing must be done which would impair the operation of that Federation. He thought it perfectly possible for any Region to achieve by 1956 such degree of self-government as it wanted in its internal affairs, provided there was no interference with matters under the control of the Centre and that Federation was not made impossible thereby. It was however only possible to make such a statement in general terms.

Mr. Akintola did not see what difference this proposal would make in view of the decisions already reached by the Conference which gave the Regions as independent powers as possible outside the powers given to the Centre.

Mr. Lyttelton thought that one aspect of his proposal would be that it might be possible for some of the powers at present reserved to the Lieutenant Governor to be abrogated and these powers placed within the competence of the Regional Government, but if that degree of Regional sovereignty was in fact achieved then it would be necessary to make arrangements for compensation to members of the Public Service. He repeated his opinion that if his proposal was adopted it would be possible for the Eastern and Western Regions to advance a good deal further down the road toward self-government in 1956.

Dr. Azikiwe thought that the proposal went a long way towards meeting their wishes. He would however welcome an opportunity to study the proposed statement in draft form before coming to a decision upon it. He agreed that no one Region could have absolute sovereignty; this would be against any concept of a Federal system of Government. Any decision arrived at must be so framed as to permit the Northern Region adopting full self-government when it considered itself ready to do so.

The Hon. Abubakar Tafawa Balewa said that the Northern Peoples' Congress were prepared to agree to Mr. Lyttelton's proposal provided that any decision taken was couched in general terms and did not specifically commit them to anything.

Chief Bode Thomas enquired whether the proposal meant that the present subjects agreed upon as within the jurisdiction of the Centre should so remain and the Regions would have power only over those subjects which had been allocated to them.

Mr. Lyttelton said that the proposal would require careful examination in detail. Agreements reached by the Conference so far would operate during the interim period to 1956. He would not say therefore that the Central List so far agreed upon was inviolable. It might be that on further examination in 1956 some adjustment could be made, but safeguards must be laid down to preserve the idea of Federal Government and the financial welfare of the country.

The Hon. Obafemi Awolowo said that the Action Group also would like to consider the proposal in draft form before coming to any decision upon it.

The Conference therefore adjourned for a short period to enable a draft statement to be circulated for consideration.

The United Kingdom delegation accordingly prepared and circulated a draft statement which, after discussion, was amended to read as follows:—

‘In 1956 Her Majesty’s Government will grant to those Regions that wish it full self-government in respect of all matters within the competence of the Regional Governments with the proviso that there shall be safeguards to ensure that the Regional Governments do not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now or as amended by agreement in the future, or in any way make the continuance of federation impossible.’

Mr. Lyttelton said that this statement of policy, as now accepted, clearly affected the conditions of service of the Public Service. With the disappearance of the reserve powers in the Regions, he would have to insist that suitable arrangements must be made for officers for whom he had a contractual obligation to retire with adequate compensation if they so wished.

The Conference:—

(1) Agreed that within not more than three years from August 31st, 1953, there will be convened in Nigeria a Conference consisting of delegations from each Region of the Federation chosen by their respective Governments in such manner as to ensure adequate representation of all shades of political opinion in the Federation, for the purpose of reviewing the Constitution and discussing the question of self-government.

(2) Approved the statement of policy, made on behalf of Her Majesty’s Government at ‘X’ above.

(3) Agreed that arrangements to implement the offer made in the statement at ‘X’ above, in any Region would almost certainly entail such alterations in the conditions of service of the Regional public servants that Her Majesty’s Government, as a condition of agreeing to them, would have to stipulate that suitable arrangements be made for them to retire with adequate compensation if they prefer this to continuing to serve the Regional Governments.

2. Interim Arrangements

Mr. Lyttelton said that there were two main subjects which had to be dealt with: the arrangements for the government of the Eastern Region until after the forthcoming elections were completed and the question of the representation of the Western Region in the Council of Ministers.

Concerning the first subject, the N.C.N.C. had raised objections to what they felt to be a minority Government in the Eastern Region exercising governmental powers until after the elections had been completed. He was himself concerned about this situation, but was advised that it would take as long to alter the situation constitutionally as the elections were expected to take. He suggested that the situation should be allowed to run on during the interim period, and an accommodation reached if possible by deliberation between the two parties. Replying

to Mr. Eyo, he thought that the Conference should not go into the question of the legality or otherwise of the present Eastern Regional Ministers' position; this could only be taken by constitutional lawyers and was in any case outside the terms of reference of this Conference.

Mr. Mbadiwe pointed out that the matter would not have arisen but for the Conference, which had been the cause of the commencement of the elections being postponed in the East until 14 days after the delegates' return; the first meeting of the House of Assembly could have been held on October 25th but could not now be held until early in January. Meanwhile, the Region was faced with next year's budget. He suggested that an interim arrangement be made whereby seven further Ministers be appointed by the Lieutenant-Governor in addition to the six now there; this would enable the budget proposals to be worked out.

Mr. Lyttelton said that he was advised that the Eastern Regional Executive Council was properly constituted; he agreed that the situation was anomalous but felt it would be a most undesirable precedent for Her Majesty's Government to set aside the Constitution *ad interim*. He again advised that the situation should be allowed to run and an arrangement made with the N.I.P. if possible.

Mr. Mbadiwe agreed that his delegation should not therefore press this matter in the Conference. He would, however, like to raise a further point. The Conference had agreed that the number of seats in the Eastern House should be increased to 84. He suggested that the additional 17 seats should be filled at the forthcoming elections, and asked if the necessary arrangements could not be made in time for the beginning of the secondary stage of the elections in December.

Mr. Lyttelton replied that he was advised that this would be possible, but that in this country an alteration in representation which might affect the electoral balance was always first discussed with the minority party, which in this case was not now represented at the Conference. *Mr. Mbadiwe* said that it was not proposed to alter the boundaries of the existing electoral Divisions in the Region, but to allocate additional seats in the light of the results of the recent census.

Mr. Lyttelton repeated that he did not wish in the absence of the minority party to take steps which might affect the electoral balance or discriminate against them. If, however, he could be satisfied that this would not be so he would be prepared to agree to the N.C.N.C.'s request. He proposed to ask the Lieutenant-Governor of the Eastern Region, who was present whether in his opinion the change would cause any party to be given an advantage to the detriment of another.

Sir Clement Pleass declared that it would not.

The Conference:—

Agreed that steps should be taken to enable the additional 17 seats proposed for the Eastern Region House of Assembly to be filled at the forthcoming secondary elections in that Region.

The Hon. Obafemi Awolowo then raised the question of the representation of the Western Region at the Council of Ministers. The Action Group believed that the Ministers to whom the Northern Region objected should go to the Centre without delay, for no other Region should have any right whatsoever to dictate the choice of another. He asked for Her Majesty's Government's opinion on this matter.

Mr. Gorell Barnes said that the Constitution provided that the names proposed by the Lieutenant-Governor of the Western Region for Central Ministerial appointment

had, after being approved by the Governor, to be accepted by the Joint Council of the Region. A case of deadlock, such as the present, had not been envisaged when the Constitution was being drafted and had consequently not been provided for.

Mr. Lyttelton said that in the light of this he was advised that there was no constitutional means of resolving the deadlock. The practical question, which was of more seriousness, was however that if the other Central Ministers would not accept the two Western Ministers concerned and resigned then central government would become impossible. He thought that, in retaining the system whereby the Regions in effect sent delegations to the Centre the Conference had made its one fundamental mistake. He asked if the Northern Region had any views to offer.

The Sardauna of Sokoto, replied that they wished to make no comment at that stage.

The Hon. Obafemi Awolowo declared that if this deadlock could not be removed there was no hope for the amended Constitution. Since the beginning of 1952 the people of the Western Region had suffered a series of humiliations and victimisations. These had, for example, been the decision of His Excellency the Governor not to concede the legitimate demands of the Yorubas in the Northern Region to be administered with the Western Region. There was the permanent exclusion from the Council of Ministers of persons who enjoyed the confidence of the Western Region, simply because each of them was *persona non grata* with the Northern representatives. The latest humiliation was that Lagos was to be severed from the Western Region, the decision in respect of which they had left to the Secretary of State because they thought that he would come to an equitable decision. There had been constant [sic] attempts to bring the Western people to their knees. For these reasons, he was unable to see how the amended Constitution could have the semblance of working satisfactorily, and accordingly asked permission to withdraw from the Conference.

Mr. Lyttelton said that, having listened earlier in the Conference to arguments in favour of granting self-government, he little thought to have been confronted so soon with conclusive proof that Nigeria was unready for it. The Action Group were taking this decision when the views of the North had not even been heard.

The Hon. Obafemi Awolowo said that the Action Group had done their best to make the Conference a success but resented being dictated to by another Region. He had told the Lieutenant-Governor of the Western Region before leaving for the Conference that if the Western Central Ministers were not permitted to return he would have to take definite steps to bring this about.

The Action Group delegates and advisers then withdrew from the Conference.

The Sardauna of Sokoto suggested that the Conference should continue in session as it still represented twenty-five million Nigerians. *Mr. Mbadiwe* suggested that the Conference might adjourn until Thursday afternoon to give everyone an opportunity of looking at the question in a calmer light, but the Sardauna of Sokoto thought that no change in the attitude of the Western delegates would be possible unless the decision on Lagos were reversed, which would be unacceptable to his own delegation.

Dr. Azikiwe agreed but pointed out that when the delegations returned to Nigeria attempts might be made to render the constitution unworkable, but if the Conference could reconsider and reach agreement on separate elections to the Centre, as suggested by the North, it might be possible to avoid this. The Northern Peoples' Congress had also suggested dissolution of all the Regional legislatures;—

this was a question which should also be reconsidered. He therefore recommended that the Conference should reconsider their decision with regard to the method of election to the Central Government with particular reference to the Lower House.

Mr. Lyttelton said that he was in general accord with *Dr. Azikiwe*. He thought that the decision on the Central structure, which he considered to be the only major error which the Conference had committed in its deliberations, had been unduly influenced by the question of uniformity of method of election. If it should be possible to reach an accommodation on this point the Conference would immensely improve the chances of success of the constitution. *Dr. Azikiwe* agreed and suggested that the Northern delegation might perhaps also be prepared to reconsider their stand on the question of the Western Ministers. *Mr. Lyttelton* said that this question would assume much less importance if separate elections to the Central Government were agreed. Provided the red herrings of the alteration of boundaries and direct election to the Centre were not brought into the discussion it should be possible to reach agreement on the principle of separate election to the Central Lower House, as suggested by *Dr. Azikiwe*, and on the question of appointing Ministers at the Centre. If this were achieved the Western Ministers, if readmitted, would in effect only hold office *ad interim* until the new constitutional arrangements came into force, and their reappointment would lose much of its former significance. *Sir John Macpherson* said that in all fairness to the Northern Ministers he should point out that their objections to the return of the Western Ministers were based on certain circumstances additional to their statements in the House of Representatives. He thought it undesirable to make a fuller statement, but felt that the Conference should be aware that there was more to the question than had so far been disclosed.

The Conference:—

Adjourned until the afternoon of Thursday, 20th August to enable the delegates to review the position created by the withdrawal of the Action Group.

237 CO 554/262, no 301, enclosure 23 Aug 1953
 [London conference]: outward telegram no 84 from the CRO to UK
 high commissioners giving *Mr Lyttelton's* statement on the Cameroons

Following is the text of a statement made by the Secretary of State for the Colonies, *Mr. Oliver Lyttelton*, at the Conference on the Nigerian Constitution:

I wish to inform the Conference of the outcome of the discussions which I have had with the five representatives from the Cameroons, namely *Dr. Endeley*, *Mr. George* and the *Rev. J.C. Kangsen* of the Cameroons delegation, *Abba Habib* of the N.P.C. delegation, and *Mr. Mbile* of the N.C.N.C. delegation.

Dr. Endeley and his two advisers and *Mr. Mbile* told me that they hoped that both the Southern and Northern Cameroons could be brought together so as to form one separate Regional unit. *Abba Habib* made it quite clear, however, that the Northern Cameroons wished to continue their present association with the Northern Region, even at the price of the Northern Cameroons ceasing to have a share of any revenues accruing from the Southern part of the Trust Territory. *Dr. Endeley* and his advisers and *Mr. Mbile* do not dispute the desire of the Northern Cameroons to continue their present association with the Northern Region.

The Cameroons delegation then made it clear to me that they wished the Southern Cameroons to become a separate Region, with their own small-scale Legislature and Executive and with suitable representation in the Central Nigerian Legislature and Council of Ministers. They represented this as the wish of the majority of their people. Mr. Mbile on the other hand thought that before any such step were taken a Commission of Enquiry should go to the Cameroons (a) to enquire whether an arrangement of this kind was in fact what the majority of the people want, and (b) to enquire whether the Southern Cameroons could pay their way as a separate Region.

The last test of Cameroons opinion in the Eastern House of Assembly suggested that Dr. Endeley's party represents majority views in the Southern Cameroons. However a general election is pending there and the matter can be tested then. If Dr. Endeley's party wins the majority of the seats the issue will then be beyond all reasonable doubt.

Her Majesty's Government propose to take no final decision on this matter pending the outcome of the general election. In order to lose no time, however, they propose to add to the terms of reference of the Fiscal Commissioner an enquiry whether the Southern Cameroons could pay its way without financial assistance from other parts of Nigeria, assuming that none of its revenues were henceforth shared with the Northern Cameroons or with any other part of Nigeria.

To enable the Commissioner to consider the requirements of the Cameroons in concrete terms, I have asked His Excellency the Governor, in consultation with the Cameroons delegation, to produce a skeleton plan of the Governmental and Public Service structure which would be suitable for a Southern Cameroons Region if one were established.

When this conference reassembles in Nigeria the wishes of the Southern Cameroons people will be finally known, and the report of the Fiscal Commission will be available. If it is then clear that the Southern Cameroons wish to become a separate Region and that suitable financial arrangements can be made for it and unless in the meantime the Northern Cameroons have changed their views, Her Majesty's Government intend that a separate Regional administration shall be established. It would then have to be decided, at the reassembled conference, precisely what representation the Southern Cameroons should have in the Central Legislature and Council of Ministers. The arrangements would have to be not less favourable to the Southern Cameroons than the present arrangements. On this Her Majesty's Government will have to insist, having regard to their special responsibilities for the Trust Territory. Moreover it would be Her Majesty's Government's intention to continue the office of Commissioner for the Cameroons as a charge against central funds, and to write that office into the constitution, so that the progress of both the North and the South Cameroons under United Kingdom Trusteeship can be kept under review.

238 CO 554/262, no 302D

24 Aug 1953

[London constitutional conference]: CO note for the minister of state on the work of the conference on the Nigerian constitution¹

The Conference on the Nigerian Constitution ended on the 22nd August. Its Report which has since been published as a White Paper was agreed by all delegations still

¹ This document was a brief for Hopkinson for the Cabinet meeting of 25 Aug 1953, which he attended in place of Lyttelton.

present at the Conference (at an earlier session of the Conference the delegation representing the National Independence Party, the minority party in the Eastern Region of Nigeria, withdrew). The Action Group delegation, who had earlier left the Conference on the issue of Ministerial representation of the Western Region and the Centre, returned to the Conference and agreed the Report with the exception of the passages dealing with their walk-out, the decision on Lagos, and the structure of Government at the Centre (revised after they withdrew). The Conference may be regarded as having achieved its object in drawing up a revised Constitution for Nigeria which remedies most of the weaknesses of the old Constitution. Its work is not yet over, for apart from having to consider the Report of the Fiscal Commissioner who is to be appointed to make recommendations on the financial aspects of the revised constitution it will have to deal with a number of outstanding points. It will therefore probably reassemble in January, 1954, to complete its work.

2. The main changes which were recommended by the Conference were:—

(a) Regions are to be given a much greater degree of autonomy in that all subjects not specifically allotted to the Centre or placed on a concurrent list will in future be within Regional competence. Regions are in future also to have their own Public Services, and Regional legislation will no longer have to be submitted to the Central Executive, as at present. These changes should naturally help to reduce the friction which has existed between the Centre and the Regions since the present Constitution came into force. It should be noted that the Centre apart from being responsible for the normal subjects affecting Nigeria as a whole (e.g. defence, external affairs, foreign trade, transport and communications, currency and banking, etc.) will remain wholly responsible for the Police, except that there is to be consultation with the Regions on standards of entry and conditions of service, and that recruitment to contingents of the Police stationed in a particular Region is to be the responsibility of the Regional Commissioner of Police.

(b) The Central Legislature is no longer to consist of members nominated to it by the Regional Legislatures, but is to be separately elected, the number of elected members of the Nigerian House of Representatives being increased so that there shall be approximately one member for every 170,000 of the Nigerian population. In addition Central Ministers drawn from a particular Region will no longer require confirmation by their Regional Legislature. This amendment removes the worst weaknesses of the present Constitution. The principle of representation on a population basis, and of representation of all Divisions in the country has also been recognised. If the allocation of seats on a population basis were to be strictly carried out the Northern Region would be entitled to approximately 55% of the seats, but until the next review of the Constitution the North are prepared to accept only half the seats in the Central Legislature, thus maintaining the present parity between the North and the South.

(c) The Governor should be styled Governor-General and the Lieutenant-Governors should be styled Governors (The position of Her Majesty and of Her Majesty's Government has been reserved on this point and the Secretary of State will be raising this matter in the near future).

(d) Lieutenant [sic]-Governors will still preside over Regional Executive Councils but those of the East and the West are otherwise to be composed of Nigerian

Ministers. The Northern Region proposes to retain on Executive Council its present three *ex officio* members. The chief Minister in all three Regions is to be styled Premier.

(e) The Governor's and the Lieutenant-Governors' reserve and discretionary powers are to be retained except that their discretionary power in respect of legislation existing at the time of the introduction of the present Constitution is to be limited to certain categories of matters only.

(f) Central and Regional Public Services are to remain under the control of the Governor and the Lieutenant-Governors, except that they will be obliged to consult their Ministers in regard to appointments, other than Chairmen, to the Public Service Commissions.

(g) The financial arrangements to accompany these changes are to be studied by a Fiscal Commissioner (Sir Louis Chick, formerly of the Sudan Service, has accepted this assignment); and various other outstanding matters are to be considered at a second meeting of the Conference in January 1954, or as soon as possible thereafter.

3. On the 19th of August, the Secretary of State informed the Conference of Her Majesty's Government's decision that Lagos should be excised from the Western Region and made a separate Federal territory under the direct control of the Central Government. This decision has been accepted by all delegations at the Conference other than the Action Group delegation who have made it clear that the Action Group will do everything possible to obtain a reversal of that decision at the next session of the Conference. This attitude is determined largely by the Action Group's wish not to see a mainly Yoruba town separated from the Western Region. The reaction of public opinion in Lagos to the decision will be tested by the forthcoming municipal elections, which are due to be held in November of this year. It is doubtful however whether the Action Group will abandon resistance to the excision of Lagos from the West even if, as is expected, the majority in Lagos favour the decision to constitute the municipality a federal territory.

4. No final decision has been taken on the position of the Trust Territory of the Cameroons pending the outcome of the forthcoming elections in the Eastern Region of Nigeria. It appears probable however that the Northern Cameroons will wish to remain associated with the Northern Region, and that the Southern Cameroons will opt for separation from the Eastern Region. The Southern Cameroons may therefore have to be given a separate Regional administration.

5. One important omission in the Conference's work concerns the question of Public Order. At present this subject is wholly within the authority of the Regional Governments, and the Centre will only have authority to legislate on Public Order for Lagos. An attempt was made by the Secretary of State to have this subject placed on the concurrent list, but this was rejected by the Conference. It has been pointed out by the Nigerian Government that matters of public order and matters of internal security are virtually synonymous, and that unless the Centre can legislate on these matters it would be impossible for H.M.G. in the United Kingdom to discharge their first responsibility in Nigeria for the maintenance of law and order. The Governor has pointed out however that all existing laws governing public order remain in force as at present. Should Regional Legislatures pass undesirable amendments or undesirable new laws their enactment could be prevented by the exercise of reserve

powers in the Region, or by refusal of Her Majesty's assent. It would also be possible for the Governor (Governor-General) at the Centre, and the Lieutenant-Governors (Governors) in the Regions to use their reserve powers to ensure that the Police were properly used for maintaining Public Order. These are however unsatisfactory expedients which would provide critics of the Administration with useful ammunition for criticism and the matter will probably have to be brought up again when the Conference reconvenes in January 1954.

6. One of the thorniest questions before the Conference was that of 'self-government by 1956', which has been adopted as the slogan of the three major political parties in Southern Nigeria. The Northern Region, comprising over half the population of the territory, is against fixing any definite date for self-government, and the Secretary of State informed the Conference that Her Majesty's Government were not prepared to fix a date for self-government for Nigeria as a whole nor to coerce any Region in Nigeria into accepting self-government before it felt itself to be ready for it. Eventually the Conference accepted a declaration of policy that Her Majesty's Government would in 1956 grant to those Regions which deserved it full self-government in respect of all matters within the competence of the Regional Governments with the proviso that there should be safeguards to ensure that those Governments did not act so as to impede or prejudice the exercise by the Centre of its present functions, or as amended by agreement in the future, or in any way make a continuance of Federation impossible. This would involve suitable arrangements for certain categories of Public Servants to retire with compensation if they should prefer to do so to continuing to serve the Regional Governments.

7. The Conference reached almost all its conclusions by agreement, which is a remarkable achievement considering the lack of political unity in Nigeria. It is possible however that some delegations may, on reflection, wish to modify or reverse some of the decisions already reached when the Conference reconvenes. This will however depend a great deal on the political atmosphere in Nigeria between now and January, 1954, and it is impossible to forecast what this will be like.

239 CO 554/312, no 28

4 Sept 1953

[Ministerial powers]: despatch no 2008 from Mr Lyttelton to Sir J Macpherson agreeing to the demand for ministerial departmental responsibilities

I have the honour to refer to the Confidential despatch No. 1502 of the 30th June,¹ in which Sir John Macpherson informed me of the adoption by the House of Representatives on the 30th March, of a Government motion praying that the Nigeria (Constitution) Order in Council, 1951, should be amended to confer upon Ministers general direction and control of, and individual responsibility for, the Departments within their portfolios, and requested confirmation of my agreement in principle to such a charge.

¹ See 220.

2. Since the despatch under reference was received the London Conference on the Nigerian Constitution has agreed to recommend that this change should be made at the same time as the other changes recommended by the Conference. I accordingly propose to include appropriate provisions for the purpose in the instruments designed to implement the recommendations made by the Conference that will in due course be submitted to Her Majesty.

240 CO 554/310, no 143 4 Sept 1953
 [London conference]: inward savingram no 1923 from A E T Benson
 to Mr Lyttelton reporting on Nigerian reaction to the decision to
 remove Lagos from the Western Region

The news that Lagos was to be removed from the Western Region was conveyed to Action Group leaders in a cablegram from Awolowo on the 19th of August. A secret meeting was at once convened for the same evening in Lagos, which was attended by the Party leaders (including Ministers) from Ibadan and prominent Lagos members including Doherty and Maja.

2. The emotional impact of the Lagos decision on those attending the meeting was obviously great. Without a dissentient voice they proceeded to plan widespread disorders throughout the Western Region but particularly in Lagos and the Colony. The main targets were to be Government House, Government offices and expatriate firms. Two hundred gangs, each 40 to 50 strong and each with its appointed leader, were to be organised to create widespread disturbances in a number of areas including Badagri, Epe and Ikorodu. Their activities were to be co-ordinated and directed by Fani-Kayode, the leader of the Action Group Youth Section. It appears, however, to have been agreed that none of these plans were to be put into operation until the party leaders in London had returned and approved them.

3. The Oba Adele¹ who did not attend the meeting, had a talk on the same evening with the Acting Administrator of the Colony and on the following morning he sent his bellmen round Lagos to urge the people to remain calm, to refrain from disorder, and to leave the matter to the politicians who could be relied on to deal with it satisfactorily. This announcement was well-received and there have, in fact, been no disorders whatever so far. The Muhammadan feast of Id El Kabir, which attracts large crowds of Yoruba Muslims, passed off quietly on Friday, the 21st of August though the attendance was less than usual. The Oba Adele was present at the Praying Ground, but did not make his customary speech. He came, at his request, to see me, with the Acting Administrator of the Colony, on Sunday, the 23rd August. He said he was in a most difficult position because he was determined to do everything to encourage peaceable behaviour in Lagos, but great pressures were being put upon him; in particular he was being pressed to fly immediately to the United Kingdom to take part in a protest to Her Majesty's Government and the British people on the Lagos decision. He clearly wanted advice not to accede to this

¹ Oba Adeniji Adele II, ruler of Lagos 1950–1964.

demand. My assessment is that he himself is secretly pleased because he foresees an opportunity to emerge now as a completely impartial figure, whereas hitherto he has had to toe the party line with the other Western Obas. I told him I could give him no advice on this question at all (knowing full well that any advice I did give him would not be kept to himself). I contented myself with pointing out that you were not in London; that Parliament had risen; and that, in my best estimate, the decision taken after careful consideration by Her Majesty's Government late in August was unlikely to be reversed early in September. I pointed out to him that he would have an opportunity, if he so wished, when the new Lagos Town Council met for the first time after its election in November, of incorporating in his opening address a clear statement that he proposed to look at the interests of all the people of Lagos without differentiation between party, creed or race. He was visibly much pleased at this prospect and has clearly abandoned any idea of visiting the United Kingdom at this time. At the same time he is, and will remain, under that particular kind of unpleasant pressure which appears to be most peculiarly a characteristic of the Yoruba people, and he will also fear that British impetus has been given to the cause of his rival 'Prince' Oyekan. Anything which can properly be done to reassure him on this issue will be done.

4. The Action Group press has been running a major campaign against the decision in all its papers with banner headlines, leaders as strong as they dare make them, without forcing a complete breach with the N.C.N.C., inspired letters and so on. The line has been as expected. They have suppressed all reference to the fact that the Secretary of State was asked by the delegates of all three Regions to make this decision, that Awolowo like the others promised to accept it and that he immediately went back on his word when it was announced. They have instead tried to make out that it is all a sinister plot successfully carried out by the imperialists working through the Northern Peoples' Congress who were 'put up' to insist on the excision of Lagos. Since the conclusion of the talks there has been no mention of the Action Group—N.C.N.C. alliance (save that contained in the attached statement issued by Bode Thomas upon his arrival back in Nigeria) and comments on the N.C.N.C. role have been unfriendly or hostile. With regard to the future there have been repeated threats that the West will secede. There have also been suggestions that a plebiscite should be held.

5. Reaction in the Western Region as a whole must have come as a disappointment to Action Group leaders. In Lagos, it is true, initial feelings ran high against the decision among the Yoruba intelligentsia and mercantile classes, but, as the elections showed, Lagos is an N.C.N.C. town and that party can rely on the support of a fair percentage of the Yoruba population, as well as the Ibos. In much of the rest of the Western Region the people are indifferent to the fate of Lagos while in a few areas, particularly in Ibadan where Awolowo is personally unpopular, there is actual rejoicing, even among the Yorubas, that the Action Group have suffered a rebuff. Action Group prestige has undoubtedly suffered as a result of this reverse though the leaders are putting a bold face on it. In some areas there is support for the Action Group stand but the people, in spite of the press campaign, do not appear to be deeply moved over this issue.

6. Nearly all N.C.N.C. supporters, including the N.N.D.P. in Lagos, are well pleased with the decision and regard it as a party triumph. Zik's Press has reflected the general election but Zik foresees that the Action Group will itself break the alliance and his Press is therefore avoiding hurting Action Group feelings unnecessarily. It has emphasised that the N.C.N.C.—Action Group alliance remains

unbroken though Dr. Azikiwe has remarked privately that it now exists only on paper.²

7. After the first excitement Action Group leaders have cooled off and there is less talk of violence. A meeting of Western Obas has been convened for a date not yet known and they may be expected to toe the party line as usual.

8. Our present assessment is that no major disturbances are likely. What occurs after Awolowo's return must depend largely on his own actions: but we believe that in view of divided opinion among the Yorubas themselves, the pleasure with which the news has been received in parts of the Middle West area, and the fact that they will not have Ibo support and may, indeed, have to reckon with Ibo opposition, the Action Group leaders will find it most difficult to mount any formidable operation on this issue alone.

9. In recent public speeches, Bode Thomas and other Action Group leaders have openly stated that the question of Lagos is not yet settled and will be discussed again at the resumed conference next January.

² The willingness of the NCNC to side with the North over the future of Lagos at the London conference in practice marked the end of the rapprochement between that party and the AG that had begun following the self-government motion in the House of Representatives (see 188).

241 CO 554/263, no 331

8 Sept 1953

[London conference]: despatch no 1959 from A E T Benson to Mr Lyttelton outlining the Nigerian government's reaction to the decisions of the London conference

I have the honour to inform you that on the 27th August I held a meeting to consider, as far as they could at that time be collated and reconciled, the conclusions of the recent Conference in London on the Nigeria Constitution. No Minister was present at the meeting: only two Ministers, Malam Abubakar Tafawa Balewa and Shettima Kashim were then in Lagos and of these the former had himself been present at the London Conference and had only just returned. Those present were the officers holding the posts of Chief Secretary, Lieutenant-Governor (three), Attorney-General, Financial, Administrative and Development Secretary, Civil Service Commissioner, Inspector-General of Police and Secretary to the Council of Ministers. We had also the advantage of having with us Mr. K.P. Maddocks¹, who had attended throughout the London Conference both the formal meetings and the informal discussions which took place in the Colonial Office.

2. My main object in holding this meeting before the official Report of the Conference was received (it arrived on the 1st September) were, firstly, to enable those primarily responsible for ensuing action to obtain at the earliest possible date at least an overall view of the form which the new Constitution emerging for Nigeria would take; and, secondly, to put them, and particularly the Lieutenant-Governors, into the best position possible to answer, and if practicable to reassure, the members

¹ K P Maddocks, cadet, 1929; admin officer, 1932; civil secretary, Northern Region, 1955; deputy governor, Northern Region, 1957; governor of Fiji, 1958–1963.

of the Public Service in their Regions on the question of their own future. This latter consideration is a matter of such urgency and importance that I am addressing to you simultaneously a separate despatch on it. It was apparent that a number of the decisions reached would necessitate very early action in Nigeria; and one or two of the decisions, for example those regarding the position of Lagos and the return of Chief Bode Thomas and Mr. Akintola as Central Ministers, were clearly likely to be of so unpalatable a nature to one section of Nigerian opinion or the other, that the earliest possible assessment of their effects throughout the country was essential. Finally it seemed that so many large questions of a political or administrative nature or both had been either unresolved or had been created by the decisions taken that it was desirable to have these tabulated as early as possible in the hope that a sound decision may be taken on them when the Conference is reconvened in January next. We had no doubt in our minds that the main cause of this latter difficulty was that many important previous decisions of the Conference had been reversed or varied in the last three days; and that time did not therefore permit reconsideration of decisions taken earlier which were thereby affected. This, in particular, we thought, applied to the lists of subjects designated to be within the competence of the Federal Government, or concurrently within the competence of the Federal and Regional Governments.

3. I would emphasise that the conclusions reached at this meeting were based on information which had become available to us from various sources up to the date it was held, and that information was in several respects received only from Mr. K.P. Maddocks. Nevertheless, I think you may wish to have our comments on a few matters at this early date, even though they must be regarded as of a preliminary nature.

4. *The House of Representatives*

(a) Provision should be made in the Constitutional Instruments under which the Governor-General would be empowered to appoint a temporary Speaker of the House should the Speaker be unable for any reason to be present in the House. This power should be exercised by the Governor-General in his discretion.

(b) The size of the new House of Representatives (calculated at 187 members plus any Special Members who may be retained) is very large indeed. It is most doubtful whether 92 persons literate in English could secure election in the Northern Region to provide the Northern contingent to the House. Nevertheless, this is vastly to be preferred to the addition of an Upper House which would once more place the Federal Government in a position of dependence upon the Governments of the Regions.

(c) I was informed by Mr. Maddocks that in the early stages of the Conference you had spoken in favour of the retention of Special Members and that Mr. Awolowo had accepted your arguments; but that later, when a separately-elected House of Representatives was agreed to, it had been deemed wisest not to revert to the question. I hold the view that Special Members can bring their greatest contribution to the Nigerian scene by their presence as members of special committees of the House of Representatives, for example, the Standing Committee on Finance and the Public Accounts Committee. Only the former has been active in the past. The great difficulty has been to persuade the head offices in the United Kingdom of local firms to permit their staff in Nigeria to accept nomination as Special Members: and when this has been obtained, the strongest attempts have been made to ensure that their

time is not taken up on such committees. On the floor of the House of Representatives itself our Special Members have not, in fact, made much significant contribution since the introduction of our present Constitution, and this also is believed by me to be largely due to instructions given to the Special Members by their principals to keep themselves clear of an accusation of taking any particular line on a matter of local controversy. My view and that of my advisers is that the balance of advantage lies in favour of retaining Special Members, but we do not consider the advantage to be so great that strong pressure ought to be brought to bear on local politicians to accept them if there is strong opposition to the principle.

(d) Mr. Maddocks stated that there was a feeling at the Conference, when the subject was discussed, that the regulations which are to be drawn up in each Region to govern the election of candidates to the Federal Legislature should be approved by the Council of Ministers. No information other than this was available at the time of the meeting, and the Report of the Conference is again silent on the matter. If it is possible to secure this provision in January, I would urge that it should be so arranged. It is one of those matters on which, in Nigerian conditions, there is so much scope for political manoeuvring before an election on the part of an outgoing Government that if no such provision is made the Lieutenant-Governor will (if he is in a position to ascertain the true motivating factors) have to use reserve powers; and (if he is not, and I do not think he will be,) an impartial electoral procedure is unlikely to be the order of the day.

(e) Finally, another small rock on which an apparently straightforward decision could founder is the phrase appearing at the end of paragraph 14 of the Report: 'members of Regional Houses of Assembly should be allowed to stand for election to the former (that is, the Federal Legislature) and should not be required to resign their seats in the Regional House unless and until *they took their seats* in the Federal Legislature'. In Nigerian conditions, if the words underlined are interpreted literally, this would open up a profitable field for corruption. On the other hand, if a member of a Regional House had to resign immediately he was successful in the election to the Federal House, he would lose his salary for a period. Care will be necessary in the wording of this provision. It appears to be a small point and I feel some hesitation in referring to it. But you will be aware that a rock of this kind might, in Nigerian circumstances, wreck a ship of state.²

5. *Council of Ministers*

(a) I was informed by Mr. Maddocks that it had been taken for granted at the London Conference that the Governor-General would be President of the Council. Both I and my advisers consider that it is very highly desirable that the Governor-General should not preside, save on special occasions when he wishes to do so. His participation in the Council in the discussion of controversial matters, and particularly of matters of inter-Regional or inter-tribal significance, will make it much less easy for him, when the occasion requires, to reach a decision which, coming from the Governor-General, is to be accepted either cheerfully or as an exercise of reserve powers. I recommend, therefore, that provision be made in the Constitutional Instruments for the appointment of a Deputy President of the Council who will normally preside. In any event I trust that it will prove possible not to perpetuate in the new Constitutional Instruments the phrase at present in force: 'The

² Williamson noted in the margin at this point 'Exaggerated!'

Governor shall, so far as is practicable, attend and preside at all meetings of the Council . . .' (O.-in-C. 1951, section 158).

(b) The London Conference decided that Ministers should be appointed from the body of the Federal Legislature by the Governor-General either on the recommendation of the leader in that House of a party having an overall majority or, in the absence of a party having such a majority, on the recommendation of the leaders in that House of the majority party in the House from each Region; and that such appointments would not require to be confirmed by an affirmative vote of the Legislature. If the first alternative can be adopted no difficulty should arise, provided some artifice is devised for testing the question whether a leader has an overall majority; and it will not be possible to test that question simply by putting forward to the House the names of a given leader's nominees because the Governor-General must, it would seem, first decide which of the two alternatives open to him he is going to adopt. There will certainly be considerable manoeuvring for position, and once more I fear that in Nigerian conditions the manoeuvring will not be unaccompanied by one form or another of disreputable horse-trading. My advisers believe that such a system may indeed give rise to a frequency of change of Government such as the Republic of France has never seen.³ Such manoeuvring will also occur, of course, if the second alternative is adopted. It will be necessary to obtain in January complete clarification of the wording of the last sentence in paragraph 15 of the Report. I regard it as highly probable that the Western Region will send a majority of N.C.N.C. members to the Centre, whilst the Western House of Assembly remains undissolved with its Action Group majority. And unless complete clarification is secured before the new House of Representatives meets, there will be bitter controversy on the question which leader is to be consulted.

(c) I understand from Mr. Maddocks that during discussion in the Colonial Office it had been suggested that the Council of Ministers, by a simple majority, could recommend the dismissal of a Minister, or, alternatively, that a Minister might be dismissed following a two-thirds majority vote in the House against him. The report is silent on the question of the removal of Ministers, but this is a question which must be settled when the Conference is reconvened in January. It will be interesting to see if Dr. Azikiwe would still press for a simple majority vote on the question as his party did during February in the Eastern House of Assembly.

6. *Subjects on the federal list*

I consider that if it is politically possible to do so the following matters should be included:—

Recommendation

'The Nigeria Office'

Comment

(It is conceivable that this would so appear as being part of External Relations. It will however be important not to leave such matters open to later challenge, and an Action Group paper has recently advocated the 'dissolution' of this office).

'Incorporated Companies operating *in* Nigeria'.

The present wording is 'Incorporated Companies operating *throughout* Nigeria.' It will be most deplorable if it is possible to have four different sets of Company laws in Nigeria.

³ Williamson noted in the margin at this point 'Impressive'.

Recommendation
‘International Inland
Waterways’.

Comment

At present ‘Inter-Regional Inland Waterways’ is to be a Federal subject. In Nigeria the river Benue flows entirely within the Northern Region, and it is important that this and other waterways leading to neighbouring French territory should be under Federal control. It is thought that International Law would make this essential.

‘Broadcasting’.

The present wording is ‘Central broadcasting, allocation of times and wavelengths for broadcasting.’ There are a number of subjects so listed which begin with the word ‘Central’ and I assume that this must be interpreted in the light of its antithesis, ‘Regional’.⁴ Any system which permitted a Regional Government to establish and control its own broadcasting stations is greatly to be deplored; in particular, such stations would inevitably become nothing more than party political machines. Moreover, (Public Relations having been treated in the same way), the probability of having undesirable, subversive and anti-British matter broadcast throughout areas for whose law and order Her Majesty’s Government retains ultimate responsibility and whose Governors fly the Union Jack, is hardly to be contemplated.

‘Prisons other than Native
Authority or Local Authority
Prisons.’

The present wording is ‘Central Prisons.’ There is no technical meaning in Nigeria for the adjective ‘central’, and this is one of the cases in which it is assumed that the word ‘central’ is used to denote that the Regions get other prisons as a Regional subject. As phrased it would appear that only a prison within the municipal area of Lagos would come under the control of the Federal Government. This may or may not have been intended, but it is to be hoped that the need for clarification of this point may lead, without difficulty, to the substitution of the phrase suggested. In any event it will be essential for geographical reasons to have the prison for federal prisoners outside what can properly be called federal territory.

‘Central Bureau of
Intelligence and
Investigation’.

Once more the adjective ‘central’ is the difficulty. It will be important in any event to ensure by federal administrative instruction that the Police

⁴ Williamson noted in the margin at this point ‘Clever Boy!’

(who are to be under the control of the Federal Government) do not participate in any Bureau of Intelligence or Investigation which may be set up by an authority other than by the Federal Government itself and which does not at the same time form an integral part of the Federal Bureau under Federal control.

‘Audit’.

The present wording is ‘Audit of Central Public Accounts.’ I consider that it is most desirable for a large number of reasons that audit of all public accounts should continue to be carried out by a single Audit Department under the control of the Federal Government.

Some of these reasons do not need stating—indeed, would hardly bear it. But one reason of another kind is the desirability that Colonial Development and Welfare monies should continue to be safeguarded on behalf of the United Kingdom Treasury by one central organisation in Nigeria. A Bill for an Audit Ordinance, which would remove the audit of public accounts from the sphere of politics, has been drafted but whether it would be possible to bring such a law into effect in respect of Nigeria as a whole after the introduction of the new Constitution is a matter which appears most doubtful. It occurs to me that one possibility devoutly to be hoped for is that the Fiscal Commissioner would include in his Report a strong recommendation that the audit of all public accounts should be a Federal subject.

‘Public Order’.

Both I and my advisers, for a variety of reasons, feel the deepest concern that this subject has been left to the Regions.

Matters of public order and matters of internal security seem to me to be virtually synonymous. The former covers such things as processions, meetings, carrying of offensive weapons, wearing of uniform, and the like, and unless legislation on such matters is within the competence of the Centre I cannot see how Her Majesty’s Government in the United Kingdom could discharge its first responsibility in Nigeria—namely the maintenance of law and order.

The Police are to be under Federal control, but the Police can do no more than enforce the law. Their position would be impossible if the law

*Recommendation**Comment*

relating to public order were unsatisfactory in a certain Region, and very difficult if it differed from one Region to another. I am further advised that if the present recommendation is allowed to stand, it will, for example, be possible for a Regional legislature to introduce its own Criminal Code or Criminal Procedure Ordinance, thereby making similar Central legislation inapplicable to that Region. Uniformity in such matters is essential, as is legislation on a variety of subjects such as the possession or carrying of arms and ammunition, if what has been so well secured in keeping the Police Central is not to be rendered quite ineffectual.

For these reasons I consider it most important that Public Order should be a subject on the Federal List: failing this it is vital that it be included in the concurrent list.

7. Regional legislatures

(a) As in the case of the House of Representatives provision should be made for the appointment of Deputies to Presidents or Speakers of Regional Legislative Houses.

(b) The proposed increase in the membership of the Eastern House of Assembly, if it is to come into effect in time for the forthcoming elections, will require, as noted in the Report, an immediate amending Order-in-Council. I shall be addressing you further on this subject. In the meantime the Lieutenant-Governor, Eastern Region, is discussing with the leaders of all political parties in that Region the allocation of these additional seats.

8. Regional executives

As in the case of the Council of Ministers it is again felt that the Governor of the Region should not normally preside over meetings of the Regional Executive Council. This perhaps does not apply in the case of the Northern Region but the position in the East and West, where there are to be Cabinets consisting entirely of Nigerians, is very different. There the Governor will inevitably find himself faced with an Executive Council which has reached decisions on the matters set down for discussion before the Council Chamber is entered. During the past eighteen months this has quite frequently occurred even in the Council of Ministers amongst whose members there has been neither tribal nor political unity, and I have no hesitation whatsoever in saying that it will invariably be the course of events in the West; and invariably also, if the National Council of Nigeria and the Cameroons win the elections, in the East. In such circumstances it will be most doubtful whether the Governor can keep abreast of what is in fact going on; and certainly he will find himself in a position either of acquiescing in the decisions so taken or of making regular use of his reserve powers. Without the information on which to make a judicious use of his reserve powers the Governor will therefore be in a most

dangerous position. The blame for any decision which is taken by the Executive Council which proves to be a bad decision will inevitably be attributed by the Ministers, by their ardent supporters, and also by the mass of moderate but deliberately misinformed opinion in the Region, fairly and squarely to the Governor. He will be blamed because he should, they will say, have used his reserve powers. This will not react on the Governor alone but on every officer, and particularly on every Administrative Officer, working under him. In brief, I again recommend that the Governor of the Region should not normally preside over the Executive Council. The Governor should remain outside where he will be in a position to study the decisions reached and to determine in consultation with his officers whether to send for the Premier and ask to have the matter reconsidered. He would not, under such procedure, find himself alone against a phalanx of determined Ministers at a time when the issues involved were not clear to him. The Prime Minister (or Premier) should himself preside in the case of any Executive Council which consists solely of Nigerians.

9. *Administration of justice*

I await the comments of the Chief Justice on the proposals. He has informed me that he wishes to consult his Judges. I am aware, however, that he is strongly opposed to any Regional basis for the Judiciary.

10. *Marketing Boards*

I am taking the earliest steps possible to convene the committee which is to consider the future of the Marketing Boards. At the present moment I find it extremely difficult to envisage four bodies which would be responsible for fixing buying prices in Nigeria and one quite separate body which would be responsible for negotiating selling prices outside Nigeria. There is no doubt whatever in my mind that if Regional Marketing Boards are set up it will be only a very short time before the reserves now built up are dissipated, with the result that the main reason behind the existence of the Boards disappears without any compensation to the producers for the loss of what are regarded as their trust funds.

11. *Interim arrangements*

(a) In my telegram No. 1389 I informed you of my fear that the return of Chief Bode Thomas and Mr. Akintola to the Centre would mean the disappearance of our present Northern Ministers. I also informed you that I was taking every step possible to induce our present Northern Ministers to change their minds in this respect, and I have some fair hope of success with regard to Shettima Kashim and M. Mohammodu Ribadu.

(b) In the expectation that the new Constitution Order-in-Council cannot begin to be brought into force before, say, May, 1954; that thereafter it will be at least some four months before a new House of Representatives can be constituted; and that inevitably the implementation of the Fiscal Commissioner's Report cannot begin until February next; the intention is to prepare the 1954/55 Estimates (on which work has already been in hand for some two months) on the present basis. This will be necessary in any event as a basis on which to make whatever reallocation is eventually decided upon; but quite apart from this, until the Fiscal Commissioner has reported there exists no other basis on which any form of Estimates could be drawn up, and it will of course be necessary to appropriate monies to the service of Nigeria for the year 1954/55 not later than the 31st March, 1954. The Council of Ministers has endorsed the proposed procedure. Returning Western Ministers will

take strong exception to it, but the absence of any alternative will, it is hoped, in due course convince them.

12. I am regretfully aware that the above comments are to a certain extent at least not only preliminary but superficial, and their main value, apart from forming an index here for further and deeper consideration, will perhaps be as a hat rack on whose pegs may be hung during the ensuing weeks further communications to you after Heads of Departments and others have been able to study the full implications of the proposals as they affect their particular responsibilities. I am conscious also that (as I trust you will understand) these remarks have necessarily concentrated on what has not been secured in the course of the London discussions, and make little reference to the very considerable gains achieved—if I may, without impertinence, say so—by the exercise of incredible patience and skill. If I may therefore mention what appear to me to be the two main achievements of the conference it is that the two pressure points which have formed the source of almost all our troubles during the past eighteen months will, under the new proposals, disappear. I refer to the decision by Her Majesty's Government to separate Lagos from the Western Region, and to the arrangements for election to the Centre and the appointment of Central Ministers which should go far to prevent repetition of attempts to control the Federal Government by individual party caucuses in the Regions.

242 CO 554/320, no 8

9 Sept 1953

[Colonial service]: despatch no 1960 from A E T Benson to Mr Lyttelton on the likely impact on the public service of the decisions of the London conference [Extract]

In the second paragraph of my secret despatch No. 1959 of the 8th September¹ I stated that I was addressing a separate communication to you on the position of the Public Service in Nigeria under the proposals for constitutional change which have resulted from the Conference recently held in London. I now have the honour to inform you that, at the meeting held on the 27th August, to which reference was also made in that despatch, I was informed by all Acting Lieutenant-Governors that the decision that the Nigerian Public Service should be split up into four (Federal and three Regional Services) had been generally regarded as a likely eventuality by most officers: but this and other decisions having been reached without any simultaneous mention of compensatory adjustments to the terms and conditions of their service had been received by almost all officers with a sense of profound shock. I would say immediately that what the Lieutenant-Governors had to tell me on this point was not in any way unexpected either by me or by my other advisers at headquarters; and it later became clear at a meeting of some thirty Heads of Departments which I held on the 31st August in order to communicate to them the outcome of the London Conference that they were both perplexed and distressed over the problem of reassuring their staff.

2. The Conference in London decided (paragraph 22(ii))—

(a) that the Centre and the Regions should each have their own Public Service;

¹ See 241.

(b) that each Legislature should be competent to decide upon the creation of new posts, the abolition of posts vacant at the time of discussion, and alterations in salaries, allowances, or conditions of service provided such alterations did not affect adversely any serving officers; the Governor-General or Governor would, however, have power to override the Legislature on such matters if, but only if, he deemed it necessary so to do in the interests of public order, public faith, or good government; and he would, in that event, report forthwith to you;

(c) that recruitment, promotions, transfers, dismissals and other matters of discipline should lie within the exclusive control of the Governor-General or Governor acting in his discretion;

(d) that on the matters referred to in (c) above, the Governor-General or Governor would be advised by a Public Service Commission, although he would not be obliged to act in accordance with that advice; and that the Governor-General or Governor should consult respectively the Council of Ministers or his Executive Council before making any appointment to his Public Service Commission, other than that of its Chairman.

3. These were the decisions relating to the control of the Public Service immediately the new Constitution is brought into force in 1954. It will be convenient here to mention (as the Report mentions) the clear assurance given by the Secretary of State on behalf of Her Majesty's Government to members of the Public Service in Nigeria that, should any Region opt for the further degree of self-government which will be open to it in the year 1956, suitable arrangements will be then made for certain categories of Public Servants to retire with adequate compensation if they prefer this to continuing to serve that Regional Government (Report—paragraph 29).

4. With the exception of the decision to divide the Nigerian Public Service into four, the arrangements set out in paragraph 2 above make no change whatever either in the terms and conditions of service of serving officers, or in the safeguards accorded to them. Indeed, the clarity with which particularly the subjects of recruitment and promotion are placed within the discretion of the Governor-General and the Governors should represent a very definite reassurance to serving officers, who have been awaiting with some trepidation recommendations to be made by the Commission (consisting of Sir Sydney Phillipson and Mr. S.O. Adebo) appointed early in 1952 to consider and report on the whole question of Nigerianization of the Service. It is, however, two other sections of the Report which will, in the opinion of all my advisers and of myself, have a profound effect on the position of all public servants now serving; and an even greater effect on those who are to serve in the Western and Eastern Regions. I revert to these other sections of the Report in paragraph 7 below, and would deal first with the exception noted at the beginning of this paragraph—the division of the Nigerian Public Service into four.

5. In the light of the representations laid before me at the meeting on the 27th August, I have considered, with my advisers, whether this intended division will have any effect on what are commonly known as the 'terms and conditions of service' of serving officers. In the first place, it is clear that a very considerable series of problems must be solved as regards the sheer mechanics of dividing up the permanent staff and securing their posting to one or other of the Regional Public Services or to the Federal Public Service. My advisers fully recognize the fact that the

right exists to post any officer of the Colonial Unified Services to the service of any Colonial Government: nevertheless, an officer has invariably in the past, I understand, been given the offer of transfer from the service of one Government to another; and I am advised that unless some large-scale system of temporary secondment could be introduced, it would form a radical departure from precedent if officers were to be permitted no option in the matter. I have no doubt, however, that your expert advisers will have these problems under close examination. Secondly, an officer appointed hitherto to the service of the Government of Nigeria has been in a position to regard the whole of Nigeria as his bailiwick. He has been a member of a territorial public service containing some 5,000 posts in its senior section, of which some 600 are superscale promotion posts. In most cases he has been able to feel some assurance that if, for any reason, he found himself unsettled in one Region, he had the likelihood of being able to secure a posting to another Region without major difficulty. At least he has had a greater degree of confidence that such posting will be facilitated than, for example, a man serving in another separate Colonial territory such as Uganda or Nyasaland. He has been able, particularly if he is an officer of certain technical departments, to expect that comparatively early in his career he will be able to gain a wide and varied experience of a kind not open to him had he been a member of the Public Service of another smaller territory of a more homogeneous nature (an obvious example in this regard is the agricultural officer). Above all, he has been able to look ahead and see that within his own territory there are open to him, if he shows the merit and ability required, a very large number of senior posts for promotion to which he will be in the direct line.

6. It is here necessary to draw a hard and sharp distinction between officers of those departments which will become entirely Regionalized and whose headquarters organization at the Centre will, to all intents and purposes, disappear; and, on the other hand, officers of those departments which will remain unitary under the control of the Federal Government and whose scope will still be the whole of Nigeria. These latter, in my view, will not be affected in any way by the division of the Nigerian Service into four. The former, on the other hand, will not consider that their 'terms and conditions of service' will remain unaffected by that division into four smaller Services, each containing at its upper levels only a much-reduced number of promotion posts; though its effect will be considerably mitigated if it is possible for you to give such officers a clear assurance that, for any promotion post which falls vacant in Nigeria, an officer then serving in any part of Nigeria will, other things being equal, be preferred to an officer from any other territory. This would apply both to expatriate and to non-expatriate officers.

7. I turn now, however, to the two decisions mentioned at the end of paragraph 4 above, and would ask you to understand that in their connection I am no longer concerned with 'terms and conditions of service', but with 'conditions of work'. Paragraph 16 of the Report records that the Constitution will be amended so as to confer upon Ministers the general direction and control of, and individual responsibility for, the departments within their portfolios (this is to apply both to the Regions and the Centre). Paragraphs 18(ii) and 20(ii) record that, with the exception of the Governor, the Eastern and Western Regional Executive Councils will be composed entirely of Nigerians. It is the view of all my advisers, with whom I am in entire agreement, that the 'conditions of work' of officers serving under the new arrangements will undergo an important change. The introduction of ministerial

direction and control of, and individual ministerial responsibility for, departments must immediately affect the position of the head of department, and through him his subordinate officers: he will cease to have final administrative control over his department and of the instructions issued to officers serving in it. It is true that, at any time, appeal may be made to the Governor-General or Governor: but it is also true that the 'conditions of work' of such an officer are likely to be far more affected by ministerial interference in a number of matters of lesser importance, on which it will prove politically impossible for the Governor to intervene, than by interference in a larger matter on which intervention would be comparatively simple. At present an officer can look with confidence to his head of department, who cannot be overruled save by invocation of the Governor's or the Lieutenant-Governor's authority; and, furthermore, the Service now being unitary, it is the Governor of Nigeria in whose name the Lieutenant-Governor would be taking action. This will no longer be the case. I have not the slightest doubt in my own mind that on the part of Western Ministers certainly, and on that of Eastern Ministers also, particularly if Dr. Azikiwe's party is successful in the forthcoming elections, there will be constant interference in matters of a professional, technical, administrative or organizational nature of a kind which no Minister in the United Kingdom, and perhaps no Minister even in the Gold Coast, would contemplate. It is perhaps not without significance that one of the officers who has expressed to me the greatest apprehensions in this regard is the Inspector-General of Medical Services, Dr. Manuwa.

8. But the immediate effect of this is multiplied geometrically when there is taken into consideration also the fact that in the Western and Eastern Regions the Executive Council will no longer number amongst its members any official. Under present conditions, although official members of Executive Councils are completely outnumbered, their presence gives officers serving throughout the Regions the assurance that what they are instructed to do is, if not sound, at least not sufficiently unsound to raise in the mind of the individual officer the question whether he can reconcile continued obedience to instructions with his conscience. That officer now has the assurance that, before a decision is reached, at least the implications of that decision as well as the factors leading up to it have been tabled and discussed in the presence of his own seniors in whose integrity he trusts. He knows that, if a decision has been taken after such overt discussion and his Lieutenant-Governor has deemed it unnecessary to use his reserve powers, he should defer to his Lieutenant-Governor's judgment. He can maintain his confidence in the job he is doing and satisfy his conscience that he is still working in the best interests of the people on whose behalf he is in the Service.

9. I must state without fear of contradiction that, with the disappearance of officials from the Executive Council, decisions on important matters will be taken in the Western Region, not at the meeting of the Executive Council for which they are put down, but at a private meeting of the Ministers previously held in the Governor's absence. This will also be true of the Eastern Region whichever party is successful in the elections, but should Dr. Azikiwe's N.C.N.C. party be successful, Eastern Ministers would out-do even the Action Group in this regard. The reserve powers of the Governor will be of no avail in the succession of decisions which will profoundly affect the individual officer's work. Even could he, as a superman, be guaranteed an intimate knowledge of all the factors and considerations involved in a given problem; and even could he keep himself abreast of the many sinister considerations

influencing his Ministers; his presence in what will only purport to be an Executive Council meeting will be no substitute for the constant watchfulness and intervention which is now effectively practised both inside and outside such meetings by the ex-officio and official members.

10. To sum up: providing the considerable problems inherent in deciding which officers on the permanent staff are to be allocated to each of the four Services can be overcome, I personally am not much disturbed by the effect which the changes now to be introduced will have on a serving officer's 'terms and conditions of service'. I believe that it should prove quite simple to reassure those whose bailiwick is now to be circumscribed that their prospects of promotion within the Colonial Service, both in Nigeria and generally, will not be adversely affected. As regards contract officers it may be necessary to revise their present contracts (which are with the Government of Nigeria) and offer them new contracts with the Federal Government or one of the Regional Governments as the case may be. It is, however, in regard to the 'conditions of work' of officers that I judge changes will take place in the manner I have described: an important change for most officers, when Ministers are given general direction and control of departments; and a fundamental change for some officers, namely, those serving in a fully regionalized department under the Governments of the Western and Eastern Regions, when official members of those Regional Executive Councils are removed.

11. At the meeting to which I referred in my despatch No. 1959 certain of my advisers held that both of these changes were of so radical a nature that full compensatory terms on the scale of those recently promised to come into force in the Gold Coast in 1956 ought to be guaranteed to the latter class of officers to come into effect, not in 1956 when any Region which wishes it may have a qualified form of self-government, but in 1954 when the present proposals come into effect. I find myself unable to agree: so long as the safeguards listed in paragraph 2(b), (c) and (d) above remain in force, I cannot see that even so drastic a change in a man's conditions of work, particularly having regard to the expressed policy of Her Majesty's Government for her colonial territories, would, of itself, entitle an officer to the full scale of compensatory terms, including lump sum compensation for loss of career, immediately. Indeed, my understanding has been that in considering the question of lump sum compensation for Gold Coast officers the inducement aspect of the matter was not overlooked: that is, the inducement which the prospects of a cash payment in addition to accrued pension, after a lapse of a certain period of years, would hold out to serving officers to remain during that critical period. It is of the utmost importance for Nigeria that a parallel inducement should be held out here. On the other hand, there is a world of difference between the full range of compensatory benefits and nothing; and it is quite plain to me that if the serious setback to the morale of the Service which has occurred during the past few months is in any way to be restored it is absolutely essential to inform its members at the earliest possible date of what compromise will be adopted for them immediately the new proposals come into effect.

12. The problem in Nigeria is complicated by reason of the fact not only that a unitary service is to be broken down into four divisions but that quite different conditions will exist between those four divisions. It is necessary to consider both the service as a whole and three separate categories of officers. The first category will consist of those officers who, immediately the new Constitutional Instruments come

into force in 1954, will find themselves members of regionalized departments in the Western and Eastern Regions serving under the Governments of those Regions. The second will contain the officers of similar departments serving under the Government of the Northern Region. And in the third will fall the officers of departments under the Federal Government who may be serving anywhere in Nigeria.

13. I am firmly of the opinion that if the Public Service is to be treated justly all officers, into whichever of the three above categories they fall, must be enabled immediately the new Constitutional Instruments come into force to retire voluntarily, whatever their ages, and be awarded their full retiring benefits. In the case of officers with short service who may wish to embark on a new career they must, I think, be afforded the option of commuting possibly the whole of their earned pension into a lump sum, the fraction which may so be commuted, and the multiplication factor which is to be applied to it, varying on some actuarial basis. Such a provision has been in force in the Gold Coast since 1951 and I am informed that it was introduced as an integral part of the changes then brought into force under the Gold Coast Order-in-Council of that year. It formed in effect a condition precedent to the granting to Gold Coast Ministers of general direction and control of, and individual responsibility for, the departments within their portfolios. . . .

243 CO 554/338, no 19

10 Sept 1953

[Western ministers]: letter from A E T Benson to T B Williamson on Northern reaction to the reappointment of the four Western ministers. *Enclosure*: letter from A E T Benson to Sir J Macpherson, 8 Sept 1953

[Following the AG walkout from the London conference, on 3 Sept Marshall, the lieutenant-governor of the Western Region, agreed to re-nominate the original four ministers who had resigned at the time of the self-government motion. This then raised the issue of whether Tafawa Balewa, Ribadu and Shettima Kashim, the Northern ministers who had threatened to resign if Thomas and Akintola returned to the Council of Ministers, would go ahead with their own resignations. In the event they stayed on the Council.]

I send you a copy of a letter which I have written to Sir John Macpherson on leave. I am much worried by what Abubakar has in mind to do. I believe that he is absolutely completely sincere when he talks about his conscience not permitting him to sit at the same table as Bode-Thomas and Akintola, but I think I might substitute for the word 'conscience' the word 'stomach'. This does not, I think, need any explaining whatsoever; but if it ever did, it is explained by reference to Awolowo's speech in the Joint Council on the 9th September, in the course of which he said that they were great enough steadfastly to uphold in the Council of Ministers what they knew to be true, and 'fearless to defy the seeming omnipotence of Sir John Macpherson and his Northern allies', and that 'our four Ministers have not suffered in vain', and that 'we owe no-one any gratitude for their return to the Council', and that 'it is our unassailable solidarity to which we owe this magnificent political victory', and 'If they have any sense of decency those who have stood in our way these five months out of sheer spite should bow down their heads for shame and crave

divine forgiveness. But those of us that have had the fortune to take part in this struggle should thank God for sparing our lives to see this triumph of our corporate and unconquerable will in the cause of freedom, justice and fair-play over the forces of unspeakable meanness and malignity in high places.¹

Having vomited that I must go on to say that Abubakar's sincere conviction that if the North does not move much more quickly the South will take over is a very useful foundation for his next conviction that if he does not lead any opposition to the Sardauna (whom he hates) the North has had it. My worry then is that for reasons of personal ambition he will cause a rift in the N.P.C. ranks. I should expect that if he did so he would have a very considerable following from amongst the present members of the Northern House of Assembly; and it would seem to me that the real danger is *any split* in the North for the next two or three years because any split will let influences in which are not going to work there either in the best interests of the North or of Nigeria.

I write this from Lagos, in which unfortunately I have had to spend all but a few weeks of my time in Nigeria, and I therefore write it both to you and to Rex Niven² with the request that Rex Niven will similarly write to Tom Williamson (copy to me) saying where I may have gone astray in my assessment.

Enclosure to 243

I have just heard that you are arriving back here on Saturday, the 19th. I am afraid you have had no leave at all, because I keep getting telegrams which show that you are still working in London. That is quite dreadful.

I hope you will endorse the plans we have made for your arrival. If ever there was a time when it should be rather formal and a splash should be made, it is, I think, now. I propose to meet you at the Airport with the regular small gang, in civvies, and I think Tony has told you that the proposal is that you should then go and change into your uniform in Cole's house (he is Airport Controller) while we beetle off ahead of you to Lagos and do likewise. We shall provide you with two helmets, one with and without plumes, so that there will still be some plumes left on the one when you reach Mushin and slow down to a stately gubernatorial pace. The guard of honour will be in front of the jetty on the Marina and Members of the Council of Ministers will be immediately outside your porch (not getting in the way of the Quarter Guard) and the other notables will be inside your hall, all lined up in order of something or other, ready to be shaken by the hand when you enter. I do hope this is all right.

You may or may not have seen the telegram I sent to the Colonial Office at a time when we had been told quite categorically by Abubakar and Shettima Kashim that when Bode Thomas and Akintola walked back, they walked out. Leslie Goble had a preliminary go at Abubakar and Shettima and managed to secure what I think is a binding statement that Shettima will continue. Although Abubakar and Shettima also said that they would try their hardest to persuade Ribadu to continue, Ribadu's last words to Abubakar in London were that he would never sit round a Council table

¹ See 218.

² C R Niven, cadet, 1921; admin officer, 1939; staff grade, 1947; president of the House of Assembly, Northern Region, 1952.

with the two miscreants. Ribadu arrived in Lagos yesterday and we are going to work on it.

Last Sunday, after Leslie had failed with Abubakar, I had him round here and went over the whole ground with him. He made it utterly clear that his mind was made up. He does not mind being a Minister at the same time as those two, provided he never has to meet them either round a table or socially. But he swears to me that he would consider his immortal soul damned to hell if he had any such dealings with either of them ever again. As you know, although I feel my immortal soul is in safer hands than my own, I feel exactly as he is feeling and I found it difficult to argue with him while he was talking on these lines. So I tried everything else. I told him that it was on his balanced judgment and steady imperturbability that in the months to come we had mainly to rely. Njoku had gone. Arikpo was going to be heavily involved in the Eastern elections. Nwapa had never grown up since his undergraduate days. Ribadu was solid but fiery, and Shettima was solid but inarticulate. Endeley was a write-off. Katsina was seldom with us. We knew that when Bode and Akintola came back they would be chastened. What was more, I was going to see them in the presence of the C.S. and say that though I bitterly regretted it, it was essential for me to speak once about the past before they took their oaths in the Council of Ministers. I was going to say that not merely in March, but for months before we all knew that they were breaking their oaths of secrecy about the Council of Ministers, that they were working against certain decisions taken in the Council and that they were writing articles in the Press on political subjects and against some of those decisions; that in the hope that the unity of the Ministers might grow, as it appeared to be growing at the end of last year, neither we officials, nor the other Ministers, nor the Governor had deemed it right to take any action in the matter. Nevertheless, there was a clause in the Constitution which said that if a Minister forfeited the confidence of his colleagues, he could be required to resign. They knew in what circumstances they had left the Council and what they had said and published since that date about the Council. I would have to warn them most categorically that if there were the slightest sign of any offence against their oaths or against the Code of Conduct which had been laid down by the Council of Ministers as binding on all Members of the Council, neither I nor you would hesitate immediately to raise the matter in the Council. It was therefore vitally important for them to retain the confidence of their colleagues. I would say that this was being said in all friendliness and that having said it, the subject would not be reverted to again unless they made it essential to do so; that they would now be welcomed back into the Council and that we should work together with the aim of self-government in mind to build a united Nigeria.

I went on then to point out to Abubakar that Transport, which was his Portfolio, was absolutely vital to the North and that what happened to Transport during the next six months would profoundly affect the North. I told him that if he did not remain in that Portfolio, I could see no alternative to giving it back to Bode, because only they two had knowledge of it. I warned him that both Akintola and Bode would inevitably, to my mind, spend the next few months in trying to muddy the waters over the Lagos issue, by stirring up industrial trouble and starting strikes, etc. Indeed, I understood that Awolowo had made this fairly apparent in the course of the London Conference. If Bode and Akintola went back to the Ministries of Transport and Labour, they would be ideally placed for their purpose. I warned him also that you were likely to need solid support throughout the next few months at meetings to

which you could not regularly summon the Lieutenant-Governors, and that the inevitable time-lag between Abubakar's resignation and a replacement from the North would leave us weak. I was not prepared to rely on Prest unless and until Zik won the Eastern elections, when I thought Prest would probably turn his coat. Then he might be even less to be relied upon than now. I told him that the line which would have to be taken over the Lagos issue was simply that this was a decision taken by Her Majesty's Government in the U.K., after all political parties had agreed to abide by it; and that there was therefore not the faintest possibility of any reversal of that decision unless (and this was manifestly impossible) a strong majority of political parties in Nigeria asked that the decision should be reversed. We knew we were going to be in for trouble with the Action Group and we knew that we would therefore want all the support we could get from those who believed in good faith and orderly government. In brief, this was no time to be running out on us. What did he intend to do if he did resign?

He said that I must be aware that he did not see eye to eye with the Sardauna. They had had correspondence since the Sardauna had announced his party decision on the matter in London, but even before that Abubakar had more or less withdrawn himself from the Northern delegation, making it quite plain to them that he personally could not feel himself bound by all the decisions, e.g. the decision to have an Upper House, etc. The Sardauna had asked him if he would take a Ministry in the North. He was undecided, but he felt it most unlikely that he would do so.

I said that he could not remain outside politics and again asked him what he was going to do. I am very worried about him. I have great fear that he may set up in opposition to the Sardauna, in which case I foresee a definite split in the N.P.C. party, with the Sardauna group greatly in the minority. I foresee the influence of the Emirs being broken down before it should be broken down, i.e. while there is nothing to put in its place. I therefore said to Abubakar that it seemed to me that the one important thing over the next three years was to preserve political unity in the North in order to give time to the North to democratise its N.A.s even more quickly than the present process. We mentioned the parable of the swept and garnished house. I said that any split at all now in the North would immediately let in those spearheads of Southern influence which were battering at their walls. I said that the right way to get what he wanted was to recognise that changes cannot be made overnight and to concentrate on re-forming the N.P.C. from within. He told me that he entirely agreed with me, but I still have intense worries (a) because I think he is a sincere man who wants things to go quicker in the North on the grounds that if they do not the South will come in; and (b) because I believe he is ambitious, though he would not be so ambitious if he did not so loathe the Sardauna's guts. I think it can be summed up by saying that if ambition is to have its way in the North, Abubakar feels rather his own than that of the Sardauna.

In the end he told me that I had put before him matters of great moment and deep worry. Even to my plea that he should at least wait until, say, the end of September, so as to be there when the Western Ministers start, and start us off on the right foot, he could only answer that if he once sat down at the table with them, he would never thereafter be able to reconcile his conscience, quite apart from the fact that having done it once there would be no reason why he should not continue to do it.

In other words, I gained nothing save that he will go on leave now (under the Council of Ministers decision approved by you, he is entitled to two months' leave)

and will then come back after about six weeks to tidy up his office and to endorse everything his Permanent Secretary has done in his absence. This will give time, he feels, to the North to set in motion their Joint Council procedure so that there need be no interval between his going out and his replacement's coming in. He promised me to do his utmost to persuade Ribadu to stay.

I attach a copy of a minute [8 September] which I have today written to Leslie about re-allocation of Portfolios. Before I go on it I shall have the backing of the Council of Ministers behind me (for what it is worth, we shall have three Northerners and Arikpo at tomorrow's meeting). I know in advance that they are all for it. In any event, the matter is within the Governor's discretion and as I said in my telegram to the Colonial Office, the trickiness of the next few months is going to mean quite a deal of firmness.

For the rest, I fear that I may have landed you with Mr. and Mrs. Casely-Hayford on the night of the 20th or the 21st of September, but if Prest is back in residence by then, it is almost beyond doubt that they will stay with him.

The International Bank Mission³ arrives on the 20th and you will, I think, wish to have the leader of that and possibly two more for a couple of nights. We are not quite certain yet of the date of Sir Louis Chick's arrival, but I am having him here when he does arrive and out before you arrive. You will be able to have him again possibly much later on at a convenient time.

To save myself writing it all over again, I am sending a copy of this letter to Tom Williamson and also to Rex Niven, because I badly want him to know about Abubakar and my fears.

I wish you had managed to put away a little more rest under your belt, but I am now counting the days until the 19th.

C.S.

We discussed minutes attached on Sunday and agreed that it was sound, in reallocating Portfolios now, to try to get a basis such that the changeover when the new Constitution comes into force, will be comparatively simple; that it might be tactically unwise to propose now an amendment to the Constitution to enable us to allocate to more than three Ministers subjects falling within the competence of the Regions; (my own view is that it would provoke a strong demand for immediate action also as regards individual ministerial responsibility); and that, therefore, we must work to our present rules in this regard.

2. We know that Mallam Abubakar will not be functioning again as a Minister after the 9th September. He will be going on leave then and simply returning after some six weeks to wind up in his office before he resigns. (I am recording separately a note on my talk with him last Sunday). Nevertheless, he remains a Minister until he does resign and it would not be proper to make him a Minister without Portfolio (thereby reducing his salary, etc.,) before he does tender his resignation. Added to

³ A mission of the International Bank for Reconstruction and Development (ie the World Bank) led by A Broches visited Nigeria between Sept and Nov 1953. Its report was published in Sept 1954: *The Economic Development of Nigeria: Report of a Mission Organised by the International Bank for Reconstruction and Development at the request of the Governments of Nigeria and the United Kingdom* (Lagos, 1954). Among its recommendations was the establishment of a Central Bank for Nigeria. See 298.

which, I still have a lingering hope that his colleagues may work on him and induce him to return after he has had a very much needed rest. He, more than anyone, needs a mental rest and a change from the atmosphere of Lagos.

3. We thought, therefore, that we ought to arrange for nine portfolios, and in deciding what those should be, we bear in mind all the above points, the possibility of staffing them, the need to divide up the overloaded portfolio of Social Services, and the need particularly to ensure that certain Ministers are not put into a position where they can do maximum damage to the peace and order of Nigeria during the next few months. I revert to this in paragraph 8 below.

4. These nine Ministries would be:—

1. Commerce & Industries	Nwapa	Sabben-Clare
2. Communications	Prest	Russell—on return?
3. Transport	Abubakar	Campbell
4. Works	Bode Thomas	Lloyd-Morgan
5. Health	Akintola	
	Shettima	Mabey
6. Educational Services	Kashim	
7. Lands & Natural Resources	Ribadu	Ellison
8. Mines and Power	Arikpo	Rowling
9. Labour	Endeley	Couzens

I have set against each one the name of the Minister proposed and also the name of the officer who would be Permanent Secretary or who would be fulfilling the functions of the Permanent Secretary.

5. Mr. Ellison would be Permanent Secretary to Mohamadu Ribadu as regards Natural Resources questions, and would seek the advice of the Adviser on Lands (Mr. Rowling) on Lands questions.

6. It may be that Dr. Endeley will wish not to continue with the Portfolio of Labour. In that case Labour will be added on to Mines and Power under Arikpo and Mr. Couzens will still be the officer carrying out the functions of Permanent Secretary in respect of Labour.

7. Subject to any ideas you may have, I envisage that Commerce and Industries will remain in the new Secretariat block, Communications in P. and T. building, Works in the P.W.D. headquarters building, Health in Medical headquarters, Education at Education headquarters, Lands and Natural Resources in House of Representatives building, Mines and Power in the House of Representatives building, Labour at Labour Department headquarters. That would bring Transport into the new Secretariat block, but it gives us some six weeks before we need provide an office of ministerial status for a Minister. (Note that when Mallam Abubakar resigns, his replacement will be a Northerner who will go straight into the Transport portfolio).

8. I now want to set out my reasons, additional to those mentioned above, for not simply reverting to the old allocation of portfolios. You will remember that up till Friday last, it had been my view that we should have to, and it was after our conversation on that day that I changed my mind. Since then also, Mr. Awolowo has returned from the U.K. and made a fiery speech full of threats about civil disobedience, dead bodies, etc., being the order of the day if in January the decision to excise Lagos from the West is not reversed. Bode Thomas had previously spoken

along the same lines and handed out an Action Group official statement which was in the same vein immediately he arrived at Ikeja airport. Akintola has been writing articles in the 'Service' in the same sense although he has been, so far, fairly careful in what he has said.

9. It is beyond all question that these two Ministers when they return to the Centre will be under Party orders, even if it were not (as it is) entirely in accordance with their own way of thinking, to do everything possible so to muddy the waters that the January conference breaks down *unless* the Action Group can then secure a reversal of the Lagos decision. They know that they are up against a solid phalanx of the other political parties on the question, who can claim to represent far more than 25 millions of the people of Nigeria. They can get nowhere against those political parties. They will therefore inevitably be forced back on to their old stamping ground—attacks on the British. They have drawn plans for hooliganism and they will be plotting day and night, measures to embarrass the Governor and those whose duty it is to maintain law and order. They will make every effort to stir up industrial trouble and start strikes on every conceivable excuse. They will plug 'racial discrimination' to trade union leaders and others.

10. In these circumstances it would not only be dangerous but criminal, in my view, to put either Bode Thomas or Akintola into a position (because of the portfolios they hold) in which their normal duties would carry them into close and constant contact with labour and labour leaders in Lagos. The two portfolios which would put them into precisely that position are Transport and Labour.

11. Questions will inevitably be raised. Our answers will include the following:—

(a) both have been out of affairs since the 31st March, a period of 5½ months. The Ministers at present holding those portfolios have been on the job and have their subjects fully absorbed.

(b) Bode Thomas has always been dissatisfied with the portfolios he previously held. He has always wanted the Works portfolio.

(c) It was absolutely essential to split the Social Services portfolio as it was grossly overloaded.

(d) It is essential to have one Eastern Minister responsible for Regional subjects and the choice is there.

(e) There is no reason whatsoever to remove Prest, who ran his portfolio well and whose own particular commission from the London Post Office is on the point of arriving here. Action Group papers have emphasised indeed how much Posts and Telegraphs have gone down since Prest left.

(f) On the other hand, if Bode Thomas and Akintola would prefer to exchange Works for Health, I should have no objection whatsoever.

(g) There is no reason whatsoever to make any change in the cases of Commerce and Industries or Education or Natural Resources. As regards Mines and Power and Labour, both have a particularly Eastern tinge because of the colliery. Nor can we be certain whether Dr. Endeley will wish to continue to hold a portfolio and if he does not, Labour and Mines and Power (particularly for the colliery reason) can go best together.

12. Any comments please?

244 CO 554/338, no 21

16 Sept 1953

[Western ministers]: letter from A E T Benson to T B Williamson on
the reappointment of the Western ministers [Extract]

You have had our telegram 1484 and, previously, a copy of my letter to Sir John Macpherson giving an account of my talk with M. Abubakar about his determination to resign when the Western Ministers came back. To that was also attached a copy of a minute I wrote about reallocation of portfolios.¹ I now send you a copy of a minute I have sent to the C.S. which is in fact a record of my interview on the 15th September with the Western Ministers (excluding Prest who is still in England).² You will see that at 1.30 p.m. on the 15th it looked as though we might not have any Westerners on the Council of Ministers after all: but in true Yoruba fashion they packed up this morning realising that their blustering bluff had been called; and we had a merry meeting of the Council of Ministers, with oaths of secrecy and loyalty duly taken once more, and to follow that four fairly non-controversial items specially picked for the purpose.

When they left me on the 15th I asked our particular people who are so good at these things to try to keep track.³ An emergency meeting was held which did not finish until midnight. After that Bode and others went to the 'Daily Service' and removed a leading article about the return of the Western Ministers and a front page box item confirming the loyalty of the Action Group in their Central Ministers.

They are extraordinary birds these Yorubas. I have, in the course of years, met seven or eight people who have the uncanny gift of being able to lie to themselves and convince themselves of the truth of those lies. Never till I came to these parts had I met a whole tribe or nation of which it was a normal characteristic. The Ibos are utterly different.

How long they will stay depends on circumstances. They will want to be here in order to know what is going on; they will want also to do everything they possibly can (without getting caught out) to sustain the personal attack on the Governor; and they will not wish to feel ham-strung—as Central Ministers—in the attack which is developing on the London Conference decisions, particularly over Lagos. Above all they intend to get the British, or any others who will check up on their financial transactions, out. They will, I am sure, seize some opportunity to step out at some time in the future before the House of Representatives meets again. But they are in a very difficult position. They know that Prest, having got his house and salary back, will turn his coat if there is ever again a suggestion that he would resign. He has a foot well and solidly in the N.C.N.C. camp already, and he will transfer it from there to the N.I.P. camp if those boys, by any gift of God, came through in the Eastern elections. And they will have to think up a fairly good one, though not a very good one, on which the Oni can resign with them. He is such a gutless prospective suicide that that may not be too difficult. . . .

¹ See 243.

² Not printed.

³ Presumably a reference to Special Branch.

245 CO 554/263, no 332

18 Sept 1953

[Political situation]: letter from A E T Benson to W L Gorell Barnes on AG and NCNC reactions to the decisions of the constitutional conference

Very many thanks for your letter No. WAF 39/3/03 of the 10th September about the drawing up of a 'scheme' in accordance with which (as it emerges from the reconvened Conference to be held in January) the new Constitutional Instruments would be put into final form. McKisack has brought de Winton in and he is hard at work on this.

I am asking the Secretariat to let you know as quickly as possible how far we have got on the skeleton scheme for a Southern Cameroons Region, and also the present position as regards the Committee which is to work out the future of the Marketing Boards. On both these we put the wheels in motion immediately we heard the London Conference decisions concerning them (before in fact the Report arrived), but how far Gibbons in the Cameroons has got and our Finance people with him, I am not at the moment quite sure. Andrew Young, Chairman of the Marketing Boards, who is to be one of the Central members of the Committee which deals with the future of the Marketing Boards, is at present in the U.K., but I had a talk with him before he left and decided that the way to play it was to ask each Region to suggest to the Governor the names of at least two people from each Region who either were or had been members of a Marketing Board.

As you say in your letter, and as I mentioned in my despatch No. 1959,¹ there are so many points outstanding, quite apart from a few 'decisions' which I am sure will be necessary to get varied if we can, that there are bound to be either gaps in the 'scheme' or else so many tabulated alternatives (which may affect other portions of the 'scheme') that it looks like being a pretty tentative document. However de Winton is, as I say, working hard on it in close contact with the Attorney-General and the Secretariat and the position should be a little clearer in about a fortnight's time, when we shall try to keep you informed of how we see the thing developing.

As of course you know, it is quite clear that the Action Group are going to go all out to wreck the January Conference unless they get the Lagos decision first (and there is no possibility of this) and on their idea of an Upper House. How far behind the London decisions other political leaders will be when the January Conference comes, it is at the moment difficult to judge. I think the North will be content, but what the Eastern leaders will say depends very largely on what happens in the Eastern elections.

More and more articles are appearing, and more and more of the thinking people in the country are speaking, to the effect that what the Nigerian politicians have produced in London is far worse than anything we have hitherto had.² As you know, Zik and Awolowo first declared that final decisions must be reached in London; that they were fully qualified representatives of the people; and that they would not in any circumstances agree to any form of consultation with the electorate later. Awolowo, of course, has gone right back on this because of the Lagos decision. He cannot stand

¹ See 241.

² Williamson added at this point: 'What *does* this mean?'

the idea of any election in the West because he knows that the N.C.N.C. would collect a much greater number of seats even if they did not come out with a majority. The middle West is almost solidly against him, as are the Lagos voters. The North also does not want an election though they would not be so frightened of it as Awolowo. The N.C.N.C. would dearly like to have one, but Zik (as distinct from the N.C.N.C.) has got the election *he* wants already laid on in the East, and Zik is looking no further at the present moment than getting control of the Eastern Regional Government, after which his first measure would be to get control of the Eastern Regional Production Development Board's money by putting his own nominees in on the Board and then transferring its funds from the Bank of British West Africa to the Continental Bank.

Thinking Nigerians are aware of all this and leaders in the rural areas are also getting more and more apprehensive. It may well be that quite apart from the ethics of so drastically changing a Constitution without any consultation with the electorate, that electorate before January will be arguing fairly strongly that before the new Constitutional Instruments are brought into effect there must be consultation in some form or other with the country. If that demand arises I think the Action Group will support it. What Zik will do depends on the question whether he can be Prime Minister in the East or not. The North will oppose it.

We shall try to keep you fully in the picture as things develop.

246 CO 554/840, no 1 19 Sept 1953
 [London conference]: outward circular intelligence telegram no 167
 from FO to HM diplomatic posts on the outcome of the constitutional
 conference

My Intel No. 132.

The Conference on the Nigerian Constitution, the background to which was described in my Intel No. 132, opened in London under the Chairmanship of the Secretary of State for the Colonies on July 30, and completed its work on August 22. Its Report, since published as a White Paper (Cmd. 8934), was agreed by all delegations still present (the National Independence Party, the minority party in the Eastern Region of Nigeria had withdrawn at an earlier session of the Conference) except that the Action Group delegation, which at one stage temporarily withdrew from the Conference on the issue of the Western Region Ministers at the Centre, disagreed with those passages of the Report dealing with their walk-out, the decision on Lagos, and the structure of Government at the Centre (revised during their withdrawal). The Conference may be regarded as having achieved its object of drawing up proposals for a revised Constitution for Nigeria which remedies most of the weaknesses of the old, but its work is not yet over, for apart from the consideration of the report of the Fiscal Commissioner who is to be appointed to make recommendations on the financial arrangements which should operate under the revised Constitution, a few other outstanding points still remain to be dealt with. The Conference will therefore reassemble in Nigeria, probably in January 1954, to complete its work.

2. The main constitutional changes recommended by the Conference are as follows:—

(a) The Regional Governments in Nigeria should be given a much greater degree of autonomy: while certain subjects affecting Nigeria as a whole should be reserved to the Central Government, and while there should be a small number of 'concurrent' subjects (*i.e.*, subjects in respect of which both the Central and the Regional Governments would be competent with Central legislation prevailing in case of conflict), all other ('residual') subjects should be vested in the Regional Governments; and the Regions should no longer be required to submit their legislation to the Central Executive for approval.

(b) The Central Legislature should no longer consist of members nominated to it by the Regional Legislatures but should be separately elected, the number of elected members of the House of Representatives being increased to approximately one member for every 170,000 of the Nigerian population. It is intended that the present House should be dissolved and fresh elections held as soon as possible after the constitutional amendments have come into force. While the recognition by the Conference of the principle of representation on a population basis would, strictly, entitle the Northern Region to approximately 55 per cent of the seats, the North is prepared to accept its present allotment of 50 per cent, until the next review of the Constitution in 1956.

(c) There should be nine Central Ministers in the ratio of three from each Region (plus probably one from the Southern Cameroons). Central Ministers drawn from a particular Region should no longer require confirmation in office by their Regional Legislature, and if no political party commands an overall majority at the Centre, they should be chosen by the Governor-General on the recommendations of the leaders in the House of Representatives of the majority party from each Region.

(d) The Governor should be styled Governor-General and the Lieutenant-Governors should be styled Governors (the Secretary of State made it clear at the Conference that he could not commit Her Majesty's Government on this recommendation without first consulting his colleagues and taking Her Majesty's pleasure).

(e) The Lieutenant-Governors should cease to be members of the Central Legislature, but should continue to preside over the Regional Executive Councils, which should in the Eastern and Western Regions no longer have *ex-officio* or official members. The Northern Region proposes to retain *ex-officio* members in its Executive Council. The leader of the majority party in all three Regions should be styled Premier.

(f) The Governor's and the Lieutenant-Governors' reserved and discretionary powers should be retained (except that their present discretionary power in respect of all legislation which existed when the present Constitution came into force, should now be limited to certain matters only).

(g) In addition to the Central, *i.e.*, Federal, Public Service, the Regions should in future also have their own Public Services. The Central and Regional Public Services should remain under the control (*i.e.*, as regards recruitment, promotions, transfers and discipline) of the Governor and the Lieutenant-Governors acting in their discretion, except that they would be obliged to consult their Ministers in regard to appointments, other than of Chairmen, to the Public Service Commissions.

(h) The financial arrangements, particularly as regards the allocation of revenue

between the Centre and the Regions, to accompany these changes should be studied by a Fiscal Commissioner.

3. The Nigerian delegations were unable to agree on the position of Lagos, the federal capital, under the revised constitutional arrangements and invited Her Majesty's Government to make the decision, giving their assurance that the decision, whatever it might be, would be adhered to by all delegates. Lagos is a predominantly Yoruba town and since the existing constitution came into force two years ago it has been administered as part of the Western Region (which is also mainly inhabited by Yorubas). Both for economic and ethnic reasons the Action Group argued that Lagos must remain part of 'Yorubaland.' But the North for whom Lagos (including the port of Apapa) is their principal port, argued that since an increased measure of self-government was to be given to the Regions, Lagos must be taken out of the Western Region and become federal territory. The East supported this view. The Secretary of State later announced that Her Majesty's Government had decided that Lagos should be made a separate Federal territory under the direct control of the Central Government with separate representation in the Federal Legislature. This decision was accepted by all delegations except the Action Group who although they had undertaken to accept Her Majesty's Government's decision have since made it clear that they will do everything possible to obtain its reversal or modification, and if they fail, will attempt to secure the secession of the Western Region from the rest of Nigeria.

4. The Secretary of State had discussions with representatives from both the Northern and Southern parts of the Trust Territory of the Cameroons on the future organisation and administration of the Territory. No final decision was reached, but it is likely that the Northern Cameroons will wish to remain part of the Northern Region of Nigeria. The Southern Cameroons however may opt for separation from the Eastern Region. The Fiscal Commissioner has therefore been instructed to investigate whether the Southern Cameroons could pay its way on its own.

5. One of the most difficult questions before the Conference was that of 'self-government by 1956,' on which (see my Intel. No. 132), there is a fundamental cleavage between the Northern Region and the two Southern Regions. The Secretary of State informed the Conference that Her Majesty's Government were not prepared to fix a date for self-government for Nigeria as a whole, nor to coerce any Region in Nigeria into accepting self-government before it felt itself to be ready for it. Eventually the Conference accepted a declaration of policy that Her Majesty's Government would in 1956 grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments with the proviso that there should be safeguards to ensure that those Governments did not impede the exercise by the Centre of the functions assigned to it now or later, or in any way make continuance of federation impossible. Full self-government would make arrangements necessary for certain classes of public servants to retire with compensation if they wished.

6. The Conference reach[sic] almost all its conclusions by agreement, which was a remarkable achievement considering the lack of politcal[sic] unity in Nigeria. The increase in Regional autonomy which is proposed should help to reduce the friction which has existed between the Centre and the Regions since the present Constitution came into force, and the new proposals should make the Central Government more

independent of the Regional Governments, and thereby remove one of the most serious weaknesses of the existing Constitution. The status of Lagos is clearly the most burning political issue in Nigeria to-day, and the threat by the Action Group is not to be taken lightly and will need firm handling. But it is by no means certain that, even in the Western Region or in Lagos itself, the Action Group command anything like overwhelming support on this question.

7. The above may be used freely except the last two sentences of paragraph 6, which are for your own information and guidance.

247 CO 554/271, no 10

28 Sept 1953

[Constitution]: despatch no 116 (reply) from Mr Lyttelton to Sir J Macpherson on implementing the decisions of the constitutional conference

I have the honour to reply to Mr. Benson's secret despatch No. 1959¹ of the 8th September, referring to various matters arising out of the recommendations of the London Conference of the Nigerian Constitution.

2. I recognise that Mr. Benson had to consider these matters before receiving the final report of the Conference, and in the absence of much background information. I also accept that the wording of the Conference recommendations may have been imprecise in places, and that consequently certain decisions will still remain to be taken when the Conference reconvenes, probably in January, 1954. Nevertheless the recommendations included in Cmd. 8934² give a clear general guide to the way in which the Constitution should be amended, and form a suitable basis for drawing up a draft scheme to be laid before the reconvened Conference. This draft scheme should be framed so as to permit its paraphrasing into the formal terms of an Order-in-Council amending the Nigeria (Constitution) Order-in-Council, 1951, with the minimum of reference back for further instructions, and should therefore provide a useful document for bringing out all additional points on which the legal draftsmen will require guidance.

3. I note that Mr. Benson's despatch makes a number of suggestions for amending or altering the decisions which were reached by the Conference. I must state that, as at present advised, I doubt whether it would be wise to do so; for if any one delegation were to reopen a particular matter at the resumed Conference other delegations would no doubt seek to reopen other decisions which were not to their liking; and this process of erosion might continue until it would be necessary for the reconvened Conference to reach new decisions on many of the subjects which have already been decided at the London Conference. It is possible that, in spite of this danger it may be found necessary, whether on policy or on legal grounds, to seek to reopen certain questions; but I should prefer to defer a decision on this major issue until I have had an opportunity of generally reviewing the work of the Conference in the light of the discussions which it is hoped to hold here early in November.

¹ See 241.

² *Report by the Conference on the Nigerian Constitution held in London in July and August 1953* (Cmd 8934, 1953).

4. I will now comment on some of the individual points raised in the despatch under reply.

(i) *Temporary speakers*

I would suggest that this point might well be included in the draft scheme as a matter on which the draftsmen would require further guidance from the Conference.

(ii) *Special members*

As the Conference was concerned with recommending changes in the Constitution, and as it did not recommend that the Special Members should be removed from the Federal Legislature or from the Western or Northern Houses of Assembly, it is clear that the existing provisions regarding the appointment of the Special Members should be retained except in the Eastern House.³

(iii) *Electoral regulations*

There seems to be some misunderstanding. The Conference eventually decided that there was no need for uniformity in electoral procedure between the Regions (see paragraph 14 of Cmd. 8934). The sense of the Conference was against electoral regulations having to be submitted to the Council of Ministers and I see little prospect of getting agreement to this at the resumed conference. It is, however, true that the Report is silent on the point and if the legal draftsmen consider they need guidance and you advise that the point ought to be raised again, you will no doubt instruct the draftsmen to include the matter in their scheme.

(iv) *Membership of the House of Representatives*

I am not clear to what extent the provision that members of Regional Houses of Assembly should be allowed to stand for election to the Federal Legislature, and should not be required to resign their seats in the former unless and until they took their seats in the latter, would open up a profitable field for corruption. It was clear from the discussions of the Conference, however, that its main concern was with the possibility that if a member of the Regional House had to resign immediately he was successful in the election to the Federal Legislature, he would lose his salary for a period. I am advised that the possibility of corruption could be minimised by inserting in the scheme a provision to the effect that a member of the Regional House elected to the Federal Legislature should remain and be paid as a member of the Regional House until the first meeting of the Federal Legislature following the election, when he should automatically cease to be a member of the former House unless he had in the meantime resigned his seat in the Federal Legislature.

(v) *Presidency of the Council of Ministers and Regional Executive Councils*

For the reason already mentioned I cannot agree that an attempt should be made to reverse the clear intention of the Conference that the Governor-General and the Governor should continue to preside over the Council of Ministers and the Regional Executives respectively. You will recall the views I expressed at the Conference on this matter, but they did not prevail. Consideration will, however, have to be given at the resumed conference to the question whether in the temporary absence of a Governor, a Premier *or* a Governor's deputy should preside *and*

³ The issue of special members (see 114) to represent business interests in the new constitution prompted expressions of concern from Mellor of the United Africa Company (CO 554/270, no 4, Mellor to Lyttelton, 13 Oct 1953).

who should administer the Government in the absence of both the Governor and the Deputy Governor and I should welcome your views on these matters as soon as possible.

(vi) *Appointment of ministers*

I regret that it is not possible to legislate against horse-trading. The revised arrangements so far agreed for appointing Ministers at the Centre are certainly incomplete in that they do not guard against the possibility that the Ministers recommended to the Governor-General for appointment might not make a team. The legal draftsmen can no doubt raise this point and seek instructions. Nevertheless they are a considerable improvement of the existing arrangements. I do not consider that there is any great danger of rapidly changing and unstable Governments under this new arrangement. Paragraph 15 of Cmd. 8934 makes it clear that Federal Ministers can be appointed only in either of two ways: first, 'on the recommendation of the Leader (in the Federal Legislature) of *a party* having an overall majority', or, secondly, 'on the recommendation of the leaders (in the Federal Legislature) of the majority parties in the House from each Region'. No provision is thus made for coalition Governments, and unless the elections return 93 adherents of a particular party to the Legislature, the first alternative in the appointment of Ministers would not arise. Under the second alternative Ministers from a particular Region would have to be recommended by the leader of the majority party from that Region *in the Federal Legislature*.

(vii) *Removal of ministers*

I agree that the question of the removal of Central Ministers should be raised by the legal draftsmen in the draft scheme.

(viii) *Subjects on the central and concurrent lists*

I would refer to my general comments in paragraph 3 above, and would add the following more detailed comments in the hope that they will remove certain obscurities or misconceptions.

(a) I consider that the Nigeria Office and problems affecting International Waterways are adequately covered by item 1 (External Relations) of the central list of subjects in Annex II of Cmd. 8934.

(b) Under the existing recommendations Nigeria is likely in the course of time to have four different sets of criminal law and, although it would be unsatisfactory, I think that it must be accepted that there may also be different sets of Company law operating in the territory. In practice I consider that most reputable Companies will wish to be registered as Incorporated Companies operating *throughout* Nigeria, and that in the course of time the number of companies whose operation will be confined to one particular Region will become relatively insignificant.

(c) I doubt whether either Broadcasting or Audit can be made a central subject. The possibility of Regional Broadcasting programmes containing undesirable, subversive and anti-British matter must be accepted and reliance placed on the existing laws regarding sedition, etc., for control of the worst excesses. While I also doubt whether it is a practical possibility to establish a single Audit Department for the audit of all public accounts, I am, however, concerned that the ultimate control over audit should remain vested in the Director General of Colonial Audit. I am however considering this point about the Audit Department further.

(d) The points raised in regard to Central Prisons and the Central Bureau of Intelligence and Investigation would appear appropriate for inclusion by the draftsmen among the points to be clarified when drawing up the draft scheme. In the case of the latter the answer will doubtless be to omit the word 'Central'. I do not propose to comment here on the question of Public Order, but I have this important matter under close consideration.

5. In conclusion, I should like to refer to paragraph 11(b) of the despatch under reference, which states that preparations are being made for the drafting of estimates for 1954/55 on the present basis. The effect of this would be that the new financial arrangements would not under these circumstances come into operation before the 1st April, 1955, although the new constitutional arrangements would have been operative from late 1954. As Mr. Benson points out, this would be most unpalatable to the Nigerian Delegations, particularly to those of the South, and I imagine it may prove extremely difficult, if not in fact impossible, to procure acceptance of this position. It would in any case appear likely that there will be considerable pressure for the adoption of an alternative scheme, which might involve the proposal that a budget covering the first half [sic] of the financial year 1954/55 should be drawn up on existing lines for presentation to the House of Representatives in March, and that a second budget in respect of the second half of the financial year and drawn up on the new basis be put before the new House in, say, November, 1954. This procedure, though no doubt it would involve difficulty and much additional work, would I imagine be practicable, and I should be grateful to learn your views on this possible solution to the problem. In any event the question is one on which the United Kingdom Delegation may need to be fully briefed at the January Conference.

248 CO 554/271, no 24 18 Nov 1953
 [Constitution]: Nigerian government notes of a meeting of officials to consider remaining outstanding decisions of the constitutional conference

The meeting considered the policy points outstanding for decision set out in the attached note.

Cameroons

1. It was assumed that Sir Louis Chick's report¹ would indicate that the Southern Cameroons would just be able to pay its way financially on the assumption that no contribution was made in respect of Central Services nor other special payments such as proportionate pension contributions etc. There appeared to be five ways of dealing with the Southern Cameroons in such a situation:—

(a) to establish it as a separate region with H.M.G. accepting a financial obligation. *Mr. Huijsman*² pointed out that the Treasury might be very reluctant to create such a precedent—Trust Territory or no Trust Territory. Moreover if the Southern Cameroons became a grant-aided Territory a considerable measure of U.K. Treasury control was to be expected.

¹ See 238.

² Huijsman represented the CO at the meeting.

- (b) to give it some sort of semi-autonomous status within the Eastern Region;
- (c) to give it some form of semi-autonomous status within the Northern Region;
- (d) to constitute it an autonomous federal area under the Federal Government (another Lagos);
- (e) as for (d) but with financial contribution from the Centre being met by payments from H.M.G. to the Government of Nigeria.

2. Discussion indicated that courses (b) and (c) would not be acceptable to the politicians. Course (d) appeared to be the most suitable but it seemed doubtful whether the other three Regions would agree to 'contribute' in this way to a separate Southern Cameroons Region.

3. It was decided to approach the Colonial Office early to ascertain whether H.M.G. might possibly accept responsibility for any grants in aid to the Southern Cameroons.

Public order

4. The meeting learnt from Mr. Huijsman that at the recent London discussions Mr. Benson had interpreted 'Public Order' as including the Criminal Code. In earlier representations from this country about Public Order a narrower interpretation had been put on the phrase. The meeting recognised, however, that it would be very advantageous from every point of view if the criminal law as a whole were included in the concurrent list but considered that the chances of persuading the politicians to accept this were remote. The meeting agreed that the Attorney-General should attempt to enumerate those aspects of Public Order etc. (including Sedition) which it was essential to write in to the concurrent list and that these should be regarded as sticking points in the 'firm manly statement' on the subject which it was hoped that the Secretary of State might make. The meeting considered, however, that if at that stage the Secretary of State felt, having regard to the general atmosphere of the Conference that he could go further, it would be valuable if he could urge, on common sense grounds, that the whole of the criminal law should be made a concurrent subject.

Governor and governor's deputy

5. It was agreed that in normal circumstances, when the Governor for example was out of the country, the Deputy Governor would become Officer Administering the Government and that the post of Deputy Governor would similarly be filled in an acting capacity. No difficulty would normally arise, therefore, in the matter of the Presidency of the Council. It was necessary, however, to provide for the Presidency in the event of the Governor (or O.A.G.) and the Deputy Governor (or Acting Deputy) being simultaneously unable to attend a council meeting. It was recognised that this was a remote contingency but that on the few occasions when it might happen there could be no objection to the Premier presiding over Executive Council. The meeting took the view that it was undesirable to provide for the exclusion of the Premier from presiding occasionally over Executive Council. The Scheme should, therefore, make watertight provision regarding the succession to Government and specific arrangements as outlined above for Presidency of the Council.

Administration of justice

6. The meeting agreed that the Chief Justice should be invited to expand his memorandum on the lines suggested by the outcome of discussions at the Colonial

Office between Sir Kenneth Roberts-Wray and Mr. McKisack and that the memorandum should be circulated to the Conference delegates as soon as possible after the reactions to it of Lieutenant Governors had been received.

It was agreed that the Secretary of State should be informed when this had been done.

Permanent secretaries to ministries

7. It was noted that Mr. Grey had written a paper on this subject following his discussions with the Government of the Gold Coast. In the Gold Coast, the policy had been to make Permanent Secretaries senior to Heads of Departments both in status and in salary. The Governor of the Gold Coast had initially been doubtful whether Permanent Secretaries in that territory had not been over-graded but experience had convinced all those concerned that the system was right. After initial difficulties, it was working smoothly and happily in the Gold Coast.

8. It was felt that a similar system in Nigeria would raise a number of difficulties the most important of which were likely to be:

- (a) the need to promote a large number of Administrative Officers to fill the Permanent Secretary posts in the Federal and Regional Ministries and place them on relatively high salaries in order to maintain their seniority and;
- (b) the probability that the arrangements might be keenly resented by senior technical officers.

It might be, therefore, that for the sake of preserving accepted principles in other parts of the Commonwealth, we should jeopardise technical development in Nigeria.

9. There was a good deal of discussion on this subject and the general view was that the Permanent Secretary ought normally to be the senior officer in the Ministry but that it might be feasible to make him of equal status (and not necessarily equal salary) with the technical departmental Head and to try and evolve a system of *'primus inter pares'* during the initial phase.

10. It was agreed also that further thought must be given to this problem but that in any case provision for Permanent Secretaries should be clearly written into the amending Constitutional Order in Council.

N.I.P.

11. The meeting felt that the N.I.P. would almost certainly want to attend the resumed Conference and that there should be no difficulty in dropping a hint to the leaders of the Party that a formal application should be made to the Secretary of State (as Chairman of the Conference) for readmission—having regard to the fact that they had 'walked out' of the London talks.

The Chief Secretary undertook to do this.

Eligibility of chiefs for membership of the House of Representatives

12. This matter had been discussed previously and the meeting recollected that it had been agreed that, while the loss of the services of Chiefs such as the Emir of Katsina at the Centre was appreciated, the balance of advantage would lie in Chiefs who are statutory members of a House of Chiefs not being eligible for membership of the House of Representatives. It had been noted that:

- (a) such Chiefs were in fact reluctant to serve as members of the Central House, and
- (b) the reduced functions of the Central Government would be such that the need for such Chiefs would be less.

It was agreed that the matter ought to be dealt with fully in the commentary on the Scheme.

Electoral regulations

13. It has been suggested in London that the Scheme should merely provide that in drawing up Federal Electoral Regulations the Governor General should ensure that representation would be on a Divisional basis. The expression 'on a Divisional basis' appeared to be too indefinite for the purpose of determining the election of members of a legislature if any regard was to be paid to proportionate representation. The meeting agreed that if it was necessary to lay down in the Constitutional Instruments any principles on which Federal Electoral Regulations should be drawn up it would be preferable to say that regard should be paid to proportionate representation within each Region, subject to there being at least one member for each Division now existing.

Preliminary discussion of the conference proceedings

14. Mr. Huijsman explained that there had been some mention in Parliament about the desirability of bringing both Houses more fully into the picture during the process of Colonial Constitution making. The meeting considered that it would be undesirable for amendments to the Constitution to be debated in Parliament if similar opportunity had not been given for discussion in the Nigerian Legislature.

15. The meeting felt that there might be political advantage in a debate in Nigeria on the outcome of the Conference since otherwise there was a risk that political parties might turn round and say that the decisions taken at the Conference had not the backing of the people's representatives. There was a good deal of discussion on the point and the meeting thought that if the outcome of the Conference was successful a debate on such outcome would be unlikely to prove difficult. If, on the other hand, the Conference broke down or no firm decision were taken the question of a debate would not arise. There were however grave risks of jeopardising the results of the Conference if debated in the Nigerian legislatures. It was finally agreed that the question of discussion in the legislature would have to be left over for decision until the end of the Conference.

16. Mr. Huijsman explained that the Colonial Office would in any event have to publish the Conference Report and Sir Louis Chick's report as a White Paper in order to keep Parliament fully informed but that it was doubtful whether this would necessarily lead to a Parliamentary debate. The meeting felt that the Colonial Office should try to stave off the possibility of debate in Parliament until the Conference report had been published in this country.

17. There was discussion regarding the handling of Sir Louis Chick's report. The meeting agreed that it should be distributed as soon as possible to Conference Delegates as a confidential Conference paper and that there might be advantage in trying to secure the agreement of the leaders of the major political parties to immediate publication of the report.

It was agreed that the Colonial Office must be kept informed of developments.

Governors' and Governor-general's discretionary powers

18. It was agreed that the Attorney-General would re-examine the various categories of powers in the light of his discussions on the subject at the Colonial Office.

Other matters discussed at the meeting

The Public Service

19. The draft statement on the Public Service prepared in the Colonial Office was discussed generally, in the light of which discussion the Civil Service Commissioner undertook to prepare a fresh draft.

Proposed Northern Electoral Regulations

20. Mr Huijsman drew attention to the severity of some of the disqualification clauses and suggested they might be open to abuse.

It was agreed that the attention of the Lt. Governor, Northern Region, should be drawn to this point with a view to securing the agreement of the Regional Government to their modification.

Note of policy points outstanding for decision

1. What is to be the future position of the Cameroons, assuming that the Fiscal Commissioner reports that it would just be possible for the Southern Cameroons to maintain a separate administration from its own funds? From H.M.G.'s point of view this would mean that H.M.G. might be faced with the problem of financial aid to the Southern Cameroons if for some reason or other it ran into financial difficulties later. If this is to be recommended to H.M.G. as a risk which should be taken, London will have to be informed soon in order that discussions can be begun with the Treasury.

2. At the London discussions it transpired that Mr. Benson had a wider definition of 'Public Order' in mind than the C.O. officials. (His view was that the term 'Public Order' was too narrow and that an alternative term which would cover a large part of the Criminal Code would have to be worked out.) The C.O. are prepared to recommend to the Secretary of State that he should press for and if necessary insist on the inclusion of Public Order (in its narrow sense) in the concurrent legislative list when the Conference reconvenes. If, however, this is not sufficient for Nigeria, London will need to know fairly soon what is really wanted as this would require a very different briefing of the Secretary of State.

3. In London it was agreed that there should be a Governor and a Deputy Governor in the Region, but one of the unresolved points was who should be acting O.A.G. in the absence of both the Governor and the Deputy. The London suggestion is that in the absence of the Governor the Deputy should nominate his own Deputy O.A.G., and that, in the event of such nomination not being made, the holder of a dormant Commission should preside over ExCo in the absence of the O.A.G. The main object of this exercise would be to prevent presidency over ExCo by the Premier.

4. The London talks reached agreement on early circulation of the Chief Justice's paper on the administration of justice. It is suggested that this should be put in hand soon and the paper circulated to the delegates to the Conference, with a covering

note by the Government of Nigeria pointing out that the draft Scheme for the revision of the Constitution would incorporate the London Conference recommendations on the administration of justice, but that delegates might be interested to see the practical implications of this, and to study the alternative proposal which had been put forward by the Chief Justice of Nigeria with the support of the Judges of the Supreme Court.

5. Should the Permanent Secretaries of Ministries in Nigeria rank as senior to Departmental Heads when the new Constitution comes into operation? This is considered desirable as it would otherwise be difficult to insist on Ministers only dealing with the Departments in their portfolio through the Permanent Secretary of the Ministry.

6. Should N.I.P. attend the reconvened Conference? The feeling in London is that they should, and it was suggested that we should be prepared to send out notifications to the N.I.P. delegates to attend the Conference, even though the N.I.P. had not returned to the discussions after walking out. It would, however, be very much better if it could be suggested to the N.I.P. that they should ask to return to the Conference.

7. In London it was suggested that further consideration should be given to the eligibility of First Class and Head Chiefs for membership of the House of Representatives under the amended Conference.

8. In London it was suggested that the amending Order in Council should contain the minimum of provisions concerning federal electoral regulations and that the Order should merely state that the Governor-General would have the power to make such regulations subject to each Division, as at present existing, being represented.

9. There has been some criticism in Parliament about the lack of opportunity for Parliament to discuss constitutional changes in the Colonies. It was suggested in London that it would be desirable for the report of the second session of the Conference to be tabled as a White Paper in Parliament, and for Sir Louis Chick's report to be similarly made available. This raises questions of simultaneous publication in Nigeria and the U.K., and of what procedure should be followed is [sic] required by London.

10. At the London talks there was some confusion about the categories of powers which are to be left to the Governors and the Governor-General to exercise in their discretion (e.g. it is proposed that the Governor-General should exercise various powers in his capacity as Commander-in-Chief in his discretion). This will have to be looked at again as some of the categories are not acceptable to the Colonial Office Legal Advisers.

249 CO 554/284, no 4 27–28 Nov 1953
 [Cameroons]: minutes by T B Williamson, W G Wilson¹ and H T
 Bourdillon on the future of the Cameroons following the
 constitutional conference

[At the London conference Endeley and others had argued for the separation of the Cameroons from the Eastern Region (see 237). While no final decision had been taken, the conference had agreed that, subject to the test of opinion in the southern Cameroons

¹ Principal, CO.

represented by the Eastern Region general election due to be held in the latter months of 1953, the possibility of separation could be pursued. This raised the question of whether the northern and southern parts of the Cameroons should be treated as distinct entities and whether the southern Cameroons, if separated from the Eastern Region, could be financially viable. The other three Regions were unwilling to subsidise the southern Cameroons, which prompted consideration of whether the Federal government should do so, or whether grant-in-aid should be approved from the UK Treasury. These issues were to be examined in Sir Louis Chick's report.]

Mr. Wilson

Mr. Bourdillon

Mr. Gorell Barnes

Please see the marked portions of the two enclosures to (4).

There seems to be now—what I have always feared—a strong possibility that if the Southern Cameroons (as they almost certainly will) elect to become a separate 'Region' they will need financial help from H.M.G.

Until Sir L. Chick's report² is available, which should be within the next fortnight or so now, we shall not know the position definitely, or the details; but it looks as though the amount of aid required would be very small.

For my part, I am quite sure that (a) H.M.G. will have to agree to the Southern Cameroons being taken out of the Eastern Region if the voting goes that way; and (b) that there would be no prospect at all of getting agreement from the other three Regions, or anyway from the East and West, to any financial help from them.

I am also fairly firmly persuaded that in the long term, if and when Nigeria becomes self-governing, the Southern Cameroons will insist on coming right out of the Federation and becoming either an entirely separate Trust Territory administered by H.M.G. or (if the U.N. should agree) a separate British Protectorate. In other words I see no prospect of the Southern Cameroons being merged eventually with Nigeria. The basic reason is simple: the Cameroonians' deep-seated fear of the Ibo.

Subject, then, to Sir L. Chick's report, it looks as though the U.K. delegation to the resumed conference (likely to start in Lagos on the 18th January) will have to be authorised to commit H.M.G. to a small grant-in-aid to the Southern Cameroons.

The main purpose of this minute is to warn Finance Department of the way things look like going, and of the fact that we may need to get a pretty quick decision from the Treasury sometime next month. I fear this may come as a bit of a shock. I believe that I.R.D., for their part, would however agree with me on this, and in Mr. Gidden's absence I should be very grateful if Mr. Wilson, if he has any doubts about the matter, would have a word with Sir J. Martin before the file goes on to Mr. Bourdillon.

T.B.W.
27.11.53

Sir John Martin

So far as the United Nations aspect of this business is concerned, our starting point is that Her Majesty's Government *in the United Kingdom* are responsible for the administration of the Cameroons. For convenience the Trust Territory has always been administered as an integral part of Nigeria and mainly for this reason the

² The Chick Report was published in December 1953: *Report of the Fiscal Commissioner on the Financial Effects of Proposed New Constitutional Arrangements* (Lagos, 1953).

financial insolvency of the territory, which existed from 1919 until two years ago, has been covered by subventions from the Nigerian Government. As you know, however, there is no specific provision in the Trusteeship Agreement which requires that the Cameroons shall be administered as part of Nigeria³—the fact that it is so rests upon United Nations acceptance of a United Kingdom statement in 1946 that it was our intention to administer the territory as part of Nigeria. If, as indicated in Mr. Williamson's minute, the Cameroons were to become detached from Nigeria in the sense that the Nigerian Central Government would not have at its disposal funds which it could apply to the relief of an insolvent Cameroons, then I doubt whether the United Kingdom Government, having regard to its responsibility under the Trusteeship Agreement, could escape direct responsibility for assisting the Cameroons to the degree necessary to comply with the obligation in the Trusteeship Agreement to provide adequate political, social, economic and educational services in the Territory. As you know, the United Nations have, in the past, persistently taken us to task for maintaining at so low a rate the development of such things as education and roads in the Cameroons. Our answer has invariably been that the Cameroons has received its fair share of Nigerian services in these matters, taking into account the contribution of the Cameroons to Nigerian revenue. If Nigerian services are no longer available to the Cameroons, this answer is removed from us and we have no case to set against United Nations insistence, legitimately based on the Trusteeship Agreement, that the United Kingdom is responsible for ensuring the progressive development of the Cameroons in all spheres of the life of the people.

I therefore agree with Mr. Williamson's conclusion, though the prospect that any United Kingdom grant-in-aid will be accompanied by Treasury control is not a pleasant one. I doubt, however, whether Treasury control will give rise to much difficulty for us in the United Nations who will, if Togoland experience is any guide, be only too pleased to see the United Kingdom squarely accepting its responsibilities in respect of The Trust Territory.

W.G.W.
26.11.53

If this has got to come, I suppose it has got to come. But in order to clear the decks for quick action later I think it would be very advisable that we should write to the Treasury now (?from me to Mr Drake) explaining the whole situation and indicating the probable outcome. I confess also that I would feel better able to give a considered opinion of my own if I had such a draft to look at.

I have discussed with Mr Scarlett, and we were agreed that there can be no question of trying to include a provisional figure in the 1953/54 Colonial Services Estimate at this stage.

I am very grateful to WA Dept for the timely warning.

I think Mr Melville should see.

H.T.B.
28.11.53

³ Sir John Martin noted in the margin against this: 'The agreement requires the Administering Authority to administer the Cameroons as "an integral part of its territory" '.

250 CO 554/319, no 23

27 Nov 1953

[Legal system]: letter from B E Sharwood-Smith to L H Goble on the need for regionalisation of the judicial system

[The London conference appointed a committee under Sir S Abrahams to consider the future of Nigeria's legal system; its proposals were, in essence, for the regionalisation of the legal system through the creation of regional High Courts whose judges would be appointed by the regional governor, under a relatively limited Federal Supreme Court. Behind this proposal lay Northern demands, prompted at least partly by fears of southern politicians using the Courts to question decisions of the Northern Region government. Sir John Verity, chief justice of Nigeria, produced a memo on 9 Sept 1953 which came out strongly against the proposals to regionalise the Courts and Judiciary and to remove Nigeria from the jurisdiction of the West African Court of Appeal. He argued for the need to maintain a centralised system with a Supreme Court for all Nigeria and with appeals going to the West African Court. His views received some support from Roberts-Wray who expressed the concern that regionalisation might 'throw the North back into the Middle Ages by insisting upon Moslem law, unadulterated, for everyone', (CO 554/319, no 24A, minute by Sir K Roberts-Wray). The proposals for regionalisation were confirmed by the resumed conference in Lagos in Jan 1954.]

I refer to your Top Secret 156/57 of 7/11/53. The first thing that must be realised to the full in considering the judicial framework of the future in general and the Chief Justice's memorandum in particular is the highly charged atmosphere in which these proposals will be discussed.¹ I have drawn H.E.'s attention at various times, and in particular shortly before I proceeded on leave, to the deepening distrust of English law and the British courts as administered in recent times which has been and is being engendered in the minds of the people of this Region, and their leaders. Since I drew H.E.'s attention to this state of affairs there has been the deplorable 'certiorari' case at Kano, which has shaken the confidence in our good faith and rendered our task more difficult than any single circumstance that I can recollect. To us in the North it is notorious that British courts are used by lawyers from other Regions at the instance of political parties from outside the Region or groups inimical to constituted law and authority within the Region, for political ends and private gain. An indictment drawn up on evidence available during the last two or three years would be a terrible thing to read. It is only the fact that the leaders of opinion in the North have felt that the travesties of justice and the blatant misuse of the courts have been something which the heads of the Administration in the North have themselves deeply deplored and have done their best to remedy that has prevented matters coming to a head earlier. That feeling no longer exists to the same degree. While there is still confidence in individuals, in the minds of responsible leaders in the North, even that confidence has begun to be shaken and a belief is taking shape in the minds of the public wherever affected, and their lesser leaders, that for hidden ends of our own we of the Administration are secretly conniving at the undermining of the authority of the N.A. and of the Native Courts. It is just because of this feeling, which has been violently aggravated as a result of the Hubbard decision in Kano, that the N.P.C. have taken such a strong line in favour of divorcing its judicial system from that of the rest of the country. I can see no hope whatsoever of the restoration of confidence in British justice unless this comes about. Furthermore, I feel that any

¹ CO 554/319, no 11, memorandum by the chief justice on the position of the judiciary and administration of justice under the proposed revised constitution of Nigeria, 9 Sept 1953.

overt official manoeuvrings to persuade them in a contrary sense may have disastrous results.

I should make it abundantly clear that, considering the Chief Justice's proposals from a purely detached and academic point of view, they are unexceptionable, but in terms of the realities of the situation, I am convinced that they will be unacceptable and that to bring pressure to secure their acceptance would be disastrous.

Until Self-Government comes and even when it does, in so far as we can plan ahead, the aim of the Administration must obviously be to secure, to quote the Chief Justice, 'to all people throughout Nigeria irrespective of their place of origin or residence within the country, an efficient organ for the administration of justice therein, due regard being paid to the preservation of social and trade relations of a united people within the framework of a federated state'. But much of the beauty of justice lies in the eye of the beholder, and in the light of experience in this Region, all is far from well with our present system. Looking ahead the Northern leaders see in a very short period of time a Supreme Court Bench staffed in entirety by Southern Nigerian Judges. It may well be that there will be amongst them wellknown politicians at present practising at the Bar. Before this Bench there will practise Southern Nigerian barristers, and in their hands will be the administration of law and justice throughout the territory, including matters in which Northern and Southern 'rights' come into question. However much we ourselves may have confidence in the personal integrity, wisdom and skill in jurisprudence of the future occupants of the Supreme Court Bench, no Northerner will ever share our views.

To turn to the question of appeals, to my mind it is a very great pity that the existence of the West African Court of Appeal is threatened. This Court has always been held in high regard in the North, and I feel that appeals from a Northern Regional High Court should go to the West African Court of Appeal.

With regard to appeals from Native Courts, the recommendations of the Committee on the Brooke Report² are that appeals should lie, under no circumstances to the Supreme Court, but rather to a specially constituted Native Court of Appeal presided over by a Judge, specifically appointed, independent of the Supreme Court of great experience and versed in Moslem law. Appeals from this court should go to the West African Court of Appeal. In this way the interests of Southern Nigerians could be ensured without the necessity for what amounts to Capitulations.

The Chief Justice refers in his memorandum to the views of the members of the Bar practising in the North. There are no Northerners amongst them, and it will be very many years before the three Northerners now in training become qualified. The vast majority of the remainder are Southerners whose record possesses a strongly marked political flavour, and whose intervention in affairs of political significance has been invariably in favour of parties or groups opposed to the lawfully constituted authorities of the Region. It is trifling with reality to cite their opinions on proposals for Courts of Justice in the North.

The Chief Justice refers to the difficulties of establishing Regional High Courts in terms, inter alia, of expense. Surely there is no valid reason why a territory so huge

² Neville J Brooke, a puisne judge of the Supreme Court, headed a commission of enquiry (strictly, a separate commission for each region) to examine the operation of the 'native court' system; the commissions' recommendations were implemented after 1954.

and as highly populated as the Northern Region should not have its own High Court? In the East and West, where conditions are very far from being comparable, there seems no reason why there should not be one High Court for the two Regions, but that is their affair.

I have been very outspoken, but, as you know, there is much explosive material about, and, to repeat, the atmosphere is highly charged. It is my concern at the risk of seeming parochial that harmony should be preserved. It would be folly if we ran the risk of a major emotional outburst in respect of this particular problem to prejudice our chance of agreement in the other fields. It is of great importance that we should note the definite swing to the Right which has recently taken place in the House of Assembly and amongst the Ministers themselves, and also the deliberate avoidance of any matter coming before the House of Assembly where there might be any appearance of conflict of views between the Ministers, i.e. the N.P.C. leaders, and the rank and file. You will note also the request for the deferment of the Native Authority Bill and the lack of even a whisper concerning the over-due appointment for the two vacant ministerial portfolios.

251 CO 554/283, no 38

7 Dec 1953

[Cameroons]: letter from T B Williamson to L H Goble on the need to administer the Cameroons as two separate entities. *Enclosure*: Note on the implication of the trusteeship agreement with regard to the future constitutional relationship between the Cameroons and Nigeria [Extract]

In my letter of the 18th September I undertook to see whether we could prepare a note to help you (and us) in considering the future relationship between Nigeria and the Cameroons. I now enclose a copy of a (pretty comprehensive) memorandum giving some guidance on the implications of the Trusteeship Agreement and the Charter, and on some of the problems which lie ahead.¹

2. As you will see, the Trusteeship Agreement gives us a reasonably free hand in determining the future of the Trust Territory by virtue of the 'integral part' provisions of Article 5(a) subject to the following qualifications:—

- (a) the provisions of the Agreement must not be infringed;
- (b) the population of the Cameroons must not be prevented by the form of their association with Nigeria from exercising a free choice between 'self-government' and 'independence' when the times comes (in this context self-government can be taken to mean that the Cameroons were part of a fully self-governing Nigeria which included the Cameroons; and independence that the Cameroons were self-governing but independent of Nigeria—and anyone else);
- (c) the United Nations (and in certain cases the States 'directly concerned'—whoever they may be) should not take violent umbrage at what we do.

(c) is, of course, the major imponderable. As the memorandum points out, there is quite an extensive 'no-man's land' in which both the Administering Authority and

¹ Extract from memo printed.

the U.N. could establish squatters' rights. That we have thus far prevented the U.N. from doing so is probably due more to successful manoeuvre than to U.N. acceptance of the merits of our case. The moral is that we have to keep the reactions of the U.N. in mind in deciding the future of the Cameroons, to avoid arousing the active opposition of the Anti-Colonial majority. Time and effort spent on some window-dressing for U.N. benefit is not likely to be wholly wasted.

3. I emphasize this U.N. aspect of the matter because, while the probability that the British Cameroons will be split into two halves (North and South), each developing along different lines, could hardly be held to infringe the Agreement and Charter so long as there is a single Nigerian Government responsible for these two halves, some members of the U.N. will doubtless want to ask awkward questions about the future. For example, there will certainly be a strong initial United Nations reluctance to accept the idea of, in effect, two British Cameroons. Even though Cameroons politics might dictate that when Nigeria obtains self-government the Northern Cameroons might want to be part of Nigeria whereas the South (for fear of Ibo domination, etc.) might want to split off (which is what we imagine, on present form, may possibly happen), the United Nations might nevertheless, if we took any steps at the present time to make these developments easy, accuse us of seeking to divide the British Cameroons irretrievably and to obliterate the identity of the Northern part. We believe, however, that we could ride this out in the U.N. by arguing that the political future of the Trust territory must be ultimately determined by the state of public opinion in the Territory. If the people of the Cameroons wish partly (the North) to be integrated with Nigeria, and partly (the South) to be separated from it, then we believe that the U.N. could probably be brought to acquiesce in such an arrangement provided that there were Northern, as well as Southern, Cameroonian politicians who could, if the need arose, state their own respective cases convincingly before the U.N.

4. These appear to us to be the more immediate problems, and it appears desirable as soon as possible to begin accustoming the U.N. to the idea that the British Cameroons are probably not one entity, but a territory divisible into two halves, each with diverse views on its future. If we can get this thesis generally accepted we shall have taken quite a big step towards solving the long term question of splitting the territory into two parts if we have to.

5. One contribution to this process would doubtless be to ensure adequate Northern Cameroons representation both at the Centre and in the Northern Regional Houses. On present form, the Southern Cameroons will probably have its own Assembly and will have six representatives in the Federal Legislature. It looks to us therefore that unless Northern Cameroonian political representation at the Centre and in the Region is on a more 'generous' scale than at present, Southern Cameroonian politicians might be able to manoeuvre themselves U.N.-wise into the position of speaking on behalf of the whole Trust Territory. As each Northern Region division will be represented in the future Federal Legislature there should be some Northern Cameroonian representation at Lagos, but will it be adequate and, if not, would it be possible to weight this representation? There is also the question of Northern Cameroonian representation in the Northern House of Assembly (you will remember that Abba Habib put forward the view at the meeting with the Secretary of State on the 12th August that the Northern Cameroons should have special representation in the Northern House of Assembly). Furthermore, since the

Northern Cameroons will not, again on present form, have its own separate administration or legislature, it might be worth while considering whether it would be desirable to set up some special machinery or establish some consultative procedure (e.g. through a Committee of the Cameroonian members of the Northern Legislature) for ascertaining Northern Cameroons opinion on regional legislation applicable to the Northern part of the Trust Territory, and as a vehicle by which representative Northern Cameroonian opinion could always express its views on such fundamental questions as its future relationship to the Northern Region and to Nigeria.

6. We hope all this will be of help to you and your colleagues in shaping future policy and handling problems as they arise, and we shall be glad to have your views generally in due course, particularly on paragraphs 3 and 5 above.

Enclosure to 251

...17. To summarise the foregoing briefly, the Cameroons must, during trusteeship, be administered as an integral part of some other British territory (in practice Nigeria), but when the time comes to terminate the Trusteeship Agreement, the people of the Cameroons must be free to express their wishes as to what form of government should be established in the territory and what status should be conferred on the territory.

Examination of the future constitutional status of the Cameroons

18. It has been shown that so long as the Trusteeship Agreement subsists in its present form the Cameroons must be administered as an integral part of some other territory (in practice Nigeria) and ultimate responsibility for the administration of the territory must reside in Her Majesty's Government in the United Kingdom. So long as the United Kingdom retains any appreciable degree of control over the affairs of Nigeria, it is possible to maintain (though this might not survive examination in the International Court of Justice) that the United Kingdom retains ultimate responsibility for the administration of the Trust Territory even though the day-to-day administration and the enactment of laws relating thereto falls within the competence of the Nigerian Government. That being so, the principal requirement, if the existing Trusteeship Agreement is to be observed, is to ensure that the territory continues, in practice, to be administered as an integral part of Nigeria. This requirement can be fulfilled so long as both parts of the Trust Territory are under the control of a Nigerian Central Government, even though at a lower level there may be no single local or regional authority with jurisdiction in both parts of the territory. In other words, the Trusteeship Agreement does not necessarily require that the Cameroons should be administered as a unit at the local or regional level, provided that both parts are subject to one central authority and, as pointed out above, that central authority is, at least so far as the Cameroons are concerned, subject to the control of the United Kingdom Government.

19. If Nigeria (less the Cameroons in this context) were to become fully self-governing some modification of the Trusteeship Agreement (or at least of the interpretation hitherto publicly endorsed by the United Kingdom Government) would be required if it were intended that the trusteeship status of the territory should be continued. This modification could be directed to one of two provisions of

the Agreement: either a particular revocation of the United Kingdom declaration that the words 'his territory' in Article 5 (a) mean 'Nigeria', so that the Cameroons would be detached from Nigeria and administered direct by the United Kingdom Government or as part of some other of Her Majesty's territories; or an amendment to Article 2 of the Trusteeship Agreement so that the territory continues to be administered as an integral part of Nigeria but responsibility for its administration is transferred from the United Kingdom Government to the Government of Nigeria.

20. These amendments would have to be approved by the United Nations Generally Assembly and would have to be agreed upon, in accordance with Article 79 of the Charter, by the 'States directly concerned'. The term 'States directly concerned' has never been precisely defined but at the time when the Trusteeship Agreement was drawn up the United Kingdom Government assumed for its own purposes that these States included France and the Union of South Africa. In the course of the debates leading up to the approval of the Trusteeship Agreement, the Government of the Soviet Union and other Government also claimed rights as 'States directly concerned' and it may be that they would renew their claims if any alteration to the Agreement were put forward. The difficulties arising from Article 79 in the way of amending the Trusteeship Agreement thus appear to be very formidable. Even if, for example, the Union of South Africa could be persuaded to waive its claim to be a 'State directly concerned', there is no guarantee that the General Assembly would disallow the claims of other member states to be regarded as such. Moreover, the proposal of limited amendments to the Trusteeship Agreement might provide an opportunity for members of the United Nations to propose other amendments unacceptable to the Administering Authority, e.g. along the lines of establishing the United Nations itself as the Administering Authority for the Trust Territory, or fixing a time limit for the attainment of self-government or independence by the Trust Territory.

21. In view of these difficulties, or if the United Nations should prove reluctant either to acknowledge the Government of Nigeria as a competent Administering Authority or to accept that the residual powers of the United Kingdom Government in the Trust Territory, after the attainment of self-government by Nigeria, are sufficient to ensure the carrying out of the Trusteeship Agreement, it may be that the most desirable step would be for the United Kingdom Government to seek the termination of the Trusteeship Agreement. In that event the agreement of the General Assembly would be necessary, though the question of 'States directly concerned' should not arise. If termination were proposed it would be necessary first for the United Kingdom Government to suggest the future status of the territory, i.e. whether it should become an independent entity or whether it should continue as an integral part of Nigeria, and also to permit the United Nations to satisfy itself by any means it considers desirable about the feasibility or desirability of the proposed solution. In practice this would almost certainly involve a plebiscite in the Cameroons under United Nations auspices and, moreover, it would not be practicable to seek to limit the United Nations to testing opinion on the proposals put forward by the Administering Authority. This last point is especially important if it should be decided to seek termination of the Agreement in favour of integration in Nigeria at a time when Nigeria itself had not achieved full self-government. It is to be assumed that the United Nations would be chary of transferring responsibility for the Cameroons to Nigeria if the latter were still to any extent dependent on United

Kingdom control. If termination were proposed in these circumstances, the United Nations would probably wish to satisfy itself that an overwhelming majority of the people of the Trust Territory were in favour of such a step.

22. What is said in paragraphs 18 to 21 above applies with equal force to any proposal designed to differentiate between the two parts of the British Trust Territory, e.g. to terminate Trusteeship Status for one part but not for the other, or to remove the frontier between French and British Cameroons for one part of the British Cameroons but not for the other. It would also be necessary to take into account, in formulating any such proposals, that the difficulties in the way of securing United Nations agreement to the proposals dealt with in paragraphs 18 to 21 would be increased by a general United Nations reluctance to see the present 'unity' of the Trust Territory broken.

252 CO 554/319, no 20

14 Dec 1953

[Legal system]: minute by W L Gorell Barnes on the regionalisation of the Nigerian courts

Sir T. Lloyd

You will remember that, apart from certain points about arrangements for appeals which were to be considered at the resumed Conference, the London Conference on the Nigerian Constitution approved proposals by the sub-committee under Sir S. Abrahams for separate Regional High Courts in the various Regions of Nigeria.¹ Both Sir K. Roberts-Wray and the Chief Justice of Nigeria, backed by all his Judges including the African Judges, see considerable objection to the regionalisation of the Nigerian Courts, and the Chief Justice has produced an alternative plan.

At our discussions here with Mr. Benson and Mr. McKisack, I told them that I was prepared to take responsibility for authorising the Governor, if he saw fit, to communicate the Chief Justice's comments and revised plan to heads of delegations in Nigeria in response to the suggestion in the White Paper that there should be further local consideration in Nigeria of these questions affecting the Judiciary, and that, whilst this action, if taken, should appear to be taken on the sole responsibility of the Governor, I could guarantee that we would support his action if it were challenged.

However, the Nigerian Government have now decided that, because of the general tendency to want to re-open several matters and because of the increasing mistrust in the North on judicial matters, it would be unwise to make any move on this before the Conference. This decision is unpalatable both to the Chief Justice (see (20)) and to Sir K. Roberts-Wray (see his minute of the 10th December); and the attached draft telegram² to Nigeria has been submitted by Mr. Williamson in response to Sir K. Roberts-Wray's minute.

I think the serious danger here is of confirming the anxieties and suspicions of the North rather than in the effect, in this particular case, of trying to re-open a question which, to some extent, can be regarded as *choses juges*. But I am prepared to agree to a telegram on these lines going subject to the amendments which I have made to the draft.

¹ See 250.

² Not printed.

253 CO 554/602, no 41

23 Dec 1953

[Political situation]: minute by N B J Huijsman on the impressions gained during his visit to Nigeria

After five weeks' continuous travel it becomes difficult to give a brief summary of one's impressions. The following is an attempt to summarise, in the light of the forthcoming Lagos Conference, the information gained from conversations with a large number of members of the Administration, judges, natural rulers, politicians, etc. More detailed notes on individual topics will be forwarded separately.

2. Two main impressions stand out; the first, that of the great prestige enjoyed by the Secretary of State in Nigeria. Everybody to whom I have spoken ascribes the success of the London Conference almost entirely to his personality and to his handling of the delegates; even the Action Group politicians¹ admit this and are chary of attacking him personally, however much they may criticise H.M.G.'s policy. The second major impression is that the work of the London Conference has been accepted and approved by the majority of those who have heard something about it, and should not be seriously challenged in January. Both the N.C.N.C. and the N.P.C. are trumpeting abroad that not one comma of the London decisions should be altered. The Action Group is undergoing its periodic split on this subject, with a powerful moderate wing (which has already succeeded in reversing the non-fraternisation resolution) pressing for the acceptance of the London decisions, lest worse befall. When last I spoke to Sir Hugo Marshall and Sir John Macpherson both thought that there was an even chance that the moderates might prevail. Only the N.I.P. proposed to challenge the London decisions as a whole, and even they, I gather, are unlikely to press their opposition to the point of obstructionism.

3. As a political issue self-government by 1956 seems to be dead. In fact, I received numerous indications all over Southern Nigeria that the prospect of even Regional self-government by 1956 worries the thinking population. At the same time there is a reversal of the attitude towards the D.O., and a growing realisation that the real reason why Nigeria is as well governed as it is, is because the British are there to turn the wheels. Even extreme nationalists recognise this, and one Action Group member of the Western House of Assembly put it to me as follows 'We hate being under British rule and we don't like you as people, but you must not leave Nigeria, for you are the only ones who are disinterested and can be trusted'.

4. The 'Daily Times' essay competition on self-government (an idea inspired by the Governor) is another straw in the wind. The editor has told the Governor that, so far, he has received not one anti-British letter, and that an impressive number of writers stressed that self-government in the near future would be a mistake and that British tutelage is still required. I too have had my share of anti-self-government propaganda. For example, the Benin N.A. Council, presided over by the Oba, passed a unanimous resolution asking me to inform H.M.G. that Benin does not want self-government. The Executive Committee of the Warri N.A. presided over by the Olu, and which is a staunchly Action Group body, passed a similar resolution and praised H.M.G.'s Lagos decision. Everywhere there seems to be a real fear that the D.O. may go. It is not that the D.O. is preferred to self-government, but that he is being

¹ Huijsman noted in the margin opposite this 'bar Awolowo!'

recognised as the real (and possibly only) upholder of civilised standards of government and justice, and that in the minority tribal areas he is the guarantor against Yoruba, Ibo, Bini, or Hausa domination.

5. H.M.G.'s decision on Lagos appears to be unanimously accepted in the North, East and mid-West. In Yorubaland proper the only dissentient voices I heard were those of the Oni of Ife, and the District Council of Ijebu-remo, which could not very well do otherwise as this is Mr. Awolowo's home area. The main criticism of the Lagos decision is that it did not go far enough (in excluding Ikeja District).

6. It seems to me that neither the N.C.N.C. nor the Action Group represent the views of the majority of the people of the South to nearly the same extent that the N.P.C., however inchoate it is, represents the views of the Hausa masses. The N.C.N.C. is a party bankrupt of policy, kept together by the force of Zik's personality. The reason for his decision to stay in the East is that he recognises that unless he does so the disruptive influences inside his own party will reproduce the February 1953 Eastern crisis sometime during 1954. The party is sufficiently unpopular in the East to make it desirable for N.C.N.C. candidates in the secondary elections not to disclose their party affiliations. The Action Group, after a period of harmony following Bode Thomas' death, is again divided into two wings. The moderate wing is supported by the Obas, the wealthy supporters of the party, and the respectable professional and middle class Yorubas. The radical wing, to which Awolowo must now be reckoned to belong, is led by hotheads such as Awokoya and Dr. Maja. In addition there is a small group of Action Groupers in name only, led by Arthur Prest and Enahoro, who may desert at the first suitable opportunity. Public resentment against the Action Group runs high in the West over the capitation tax issue and there are indications that the Yoruba muslims are also beginning to organise themselves politically outside the Action Group fold. They will make their first entry into politics when the elections for the new Ibadan District Council take place. It would therefore be a mistake to attach too much weight to either the Action Group or the N.C.N.C. When it comes down to brass tacks it is doubtful whether either could command general support.

7. I was too short a time in the North to get more than a rough impression of local political life. It seems, however, that the N.P.C., though still only quarter organised and with neither policy nor treasury, is gradually evolving as the party of the Conservative element among the Fulani and the Hausa. It is shifting markedly to the right and after the January Conference one may expect the expulsion of Ibrahim Imam, the present Secretary General, who is likely to form a more radical opposition party, possibly in alliance with the left wing of N.E.P.U. (there is a slight possibility that the right wing of N.E.P.U., plus Aminu Kano, are going to apply for admission to the N.P.C!). More important sources of weakness are the rising influence of the Ciroma of Kano (whom I found to be extremely able, subtle and dangerous—a black Basil Rathbone) and the personal rivalry between the Sardauna of Sokoto and Abubakar Tafawa Balewa. Whatever the future may hold, however, the N.P.C. will probably come fairly united to the January Conference with the solid backing of both Houses of the Northern Legislature and of a special party conference. Their policy will be to stand firm on the London decisions and, in particular, to resist any proposal, however sensible, for maintaining a unitary Supreme Court of Nigeria. I doubt whether there is any subject, other than Lagos, on which the N.P.C. at present feel so strongly. Sir B. Sharwood Smith went so far as to say that opposition to

regionalising the Supreme Court of Nigeria would, more than any other subject, wreck our influence in the North. My own talks with the Sardauna and the Ciroma tended to confirm this.

8. My overall impression is that the January Conference has a fair chance of success. Nigerians are uneasy about it, not because they feel that it might break down, but because there is a fear that the politicians may succeed in forcing the pace of self-government too much and because there is a faint but apparently a growing realisation that the federalisation of Nigeria can be carried too far.

254 CO 554/320, no 41

2 Jan 1954

[Colonial Service]: letter from Sir J Macpherson to W L Gorell Barnes on proposals concerning the public service to be considered at the resumed conference

I enclose herewith twelve copies of a draft statement which it is suggested might be made by the Secretary of State in introducing the subject of the Public Service at the resumed Conference.¹

2. As regards procedure, we feel that there will be every advantage if initial discussions, following the Secretary of State's opening, are restricted to general principles and the issues involved are not complicated straight away by the details of carrying out the dual operation of providing a system of release of officers designed to induce as many as possible to stay in the Service during the next few years and, at the same time, resolving the present unified Service into separate Regional and Federal Services.

3. If it is possible at the first discussions to obtain agreement on the three main points of principle suggested in the 13th paragraph of the enclosed draft it should be very much simpler to deal with detailed proposals later on.

4. We do not think that there should be any real difficulty in persuading the delegations of the urgent need for some sort of a statement to reassure the Service as to the future. There may be some delegates who take the view that assurances have already been given individually by political leaders, but this can be met by pointing out that the Federal Service also requires some form of assurance and, moreover, that a joint statement on the lines suggested may be expected to carry more weight than a series of individual assurances. Indeed the Secretary of State is entitled to insist on a formal statement being made.

5. The most tricky problem will be to persuade the politicians, against the background of the London talks which did not deal with retiring benefits antecedent to self-government, to accept the principle that a scheme for the release of staff is necessary at this stage. Basically, our proposals rest upon the firm belief that if expatriate staff can be induced to stay on for the next few years, losses of staff will not be serious when self-government is attained. It should be possible in this connection to draw upon experience in the Gold Coast where the knowledge of a definite scheme for progressively improving retirement benefits has, we understand, done wonders in reassuring staff and deciding waverers to stay on. From what we have heard from the

¹ Draft statement not printed.

Gold Coast it seems that although the attainment of self-government in that territory is much nearer than is the case in Nigeria, the expatriate staff is already more settled and contented than here, and this, we believe, is attributable to two main factors: Nkrumah's statement and the knowledge that if the worst comes, the opportunity of retirement with reasonable compensation is available.

6. Here there may be some room for serious argument that if our intention is to retain the maximum number of expatriate staff possible it is strangely inconsistent that we should suggest providing facilities for early retirement. In this connection, apart from the Gold Coast evidence that our proposals are psychologically sound, it can be argued that the decision to break up the Service into Regional and Federal Services creates special problems, including contraction of career prospects. There is in effect abolition of the Public Service in which officers are now serving and the staff associations could argue with some justification that officers in the present unified Service should be eligible for retirement on abolition of office terms as soon as the Service disappears. Whatever may be the merits of that argument in equity, we feel that on grounds of expediency it is essential that the right to retire on terms equivalent to abolition terms should be deferred until the end of the transition period of two years. This can moreover be justified on the grounds that during the transition period the officer continues to be employed on substantially the same terms as formerly provided the third point—inheritance by the Federal Service for that period of the Public Service of the Nigerian Government—is accepted.

7. It has not yet been possible to complete the part of the Scheme and commentary dealing with the Public Service. It is still with the Law Officers who have run into a number of snags. Immediately the documents are available we will get them off to London.

8. There is one most important addition which, we earnestly hope, the Secretary of State will be prepared to make to the statement. It would come at the end of paragraph 4 just before the tabulated points (a)—(e) proposed for the approval of the Conference, and it would be in the following terms:—

‘I for my part am willing to assist by undertaking to regard all overseas officers who transfer to a particular Public Service as retaining their status as Colonial Service Officers and their existing eligibility for transfer to other Colonial territories. I should also propose that overseas officers accepting transfer to a particular Public Service should be given the assurance that the financial terms upon which they would serve would be jointly agreed between, and guaranteed by, the Government concerned and Her Majesty's Government.’

Ambler Thomas will be able to tell you what great store is set by the Service—if only psychologically—on being still regarded as Colonial Service officers. The point about continuing eligibility for transfer has, I think, already been agreed in the case of Gold Coast officers. There remains the very important question of a joint guarantee. A joint guarantee was offered to Colonial Governments last year with Treasury concurrence (Jeffries' letter No. 21203/A of 16th February, 1952). And at the meeting we had under Lloyd's chairmanship in the Colonial Office on the 25th of August it was agreed that Treasury concurrence should be sought, at a high level, with a proposal that a categorical statement be made by Her Majesty's Government to the effect that in any negotiations which might take place regarding constitutional

changes in any Colonial territory, H.M.G. would take steps to secure, from the Colonial Government concerned, a guarantee, with which H.M.G. themselves would be associated, that all pensions and gratuities for which public officers or their dependants were eligible at that time would be paid in full.

9. I have heard nothing since that meeting but I hope very much that the exercise has been successful. Nor have I heard whether any progress has been made with the proposal for an Overseas Civil Service of Her Majesty.

10. One day I hope that the Cabinet and Parliament will come to a full realization of all that it would mean to the Empire if the British connection can be maintained by the continued employment of British or Commonwealth officers in self-governing Colonial territories. The cost of guaranteeing pensions and other terms of service would be ludicrously small in comparison with the strategic and economic damage that would result from losing such territories from the Empire. And in the case of Nigeria we *can't* walk out and leave the country to bloody tribal warfare. Yet the cost of sending troops here to clean up a situation caused by an exodus of British officers would make the contingent liability involved in any such guarantee, or in establishing an Overseas Civil Service, look infinitesimal.

255 CO 554/602, no 2

6 Jan 1954

[Mid-West]: minute by N B J Huijsman on the extent of demands for a mid-West Region

While in the Western Region I took the opportunity of obtaining some more information on the Benin-Delta People's Party.

2. This party has come into existence in that area of the Western Region known as the mid-West—i.e. comprising Benin and Delta Provinces and part of Ondo Province. This is probably one of the most mixed areas in Nigeria. The major ethnic group is the Bini people, which occupies part of Ondo and most of Benin Province. In addition there are the Western Ibos, the Urhobos, the Sobos, the Ijaws and the Itsekiris, all relatively small groups opposed to one another and afraid of the Binis. The total population of this area is probably about 1½ million. The only major natural rulers in the area are the Oba of Benin, whose rule is acknowledged by about half the population of the mid-West, and Olu of Warri, the Itsekiri Chief, who, in his endeavour to preserve the Itsekiris against the encroachments of the Urhobos and other tribes, has pledged Itsekiri support to the Action Group. Chief Arthur Prest is an Itsekiri.

3. Politically the mid-West is a strong-hold of the Western Region N.C.N.C., although it did return some Action Group candidates (including Chief Arthur Prest and Tony Enahoro) at the 1951 elections. It is doubtful whether the Action Group would in fact find much of a following to-day in the mid-West; even Prest and Enahoro are no longer trusted by their own party. From the Action Group point of view the mid-West is both an economic and a political disability, apart from not being part of 'Yorubaland', and Awolowo has frequently stated publicly that he would not oppose the formation of a separate Benin-Delta Region.

4. There is very considerable dis-satisfaction with the Action Group Government in the mid-West. It is regarded as a Yoruba tribal Government, not concerned with the welfare of the other tribes in the Region. There is some force in this; Mr. Mooring, Financial Secretary West, informed me that he had been told by the new

General Manager of the Western Region Production Development Board that its Region-wide road building programme had been scrapped on the orders of the Board (which is Action Group). The General Manager's next task is apparently to recast the W.R.P.D.B. road building programme so as to restrict expenditure to the Yoruba Provinces of the Region.

5. It is in this atmosphere of 'Yorubaland for the Yorubas' and of inter-tribal distrust that the movement for a separate Benin-Delta Region has its origin.¹ It is now being utilised for his own political ends by one of the more picturesque public figures in Southern Nigeria. The nominal head of B.D.P.P. is the Oba Akenzua II of Benin, a tall ungainly man in his fifties and so eccentric as to arouse the suspicion that he may well be certifiable.² I found him to be an extraordinarily muddled and boring speaker and almost incapable of coherent expression. In the past he has dabbled in dress design, religion and N.C.N.C. politics, and now in running his own political party. Although there is no evidence to this effect I am inclined to think that he has been encouraged by the N.C.N.C. to start the B.D.P.P. However, with him at its head this party can almost be guaranteed extinction, for his organising ability and his capacity for leadership are virtually nil. I certainly saw no sign of anything approaching a party organisation, and the Oba did not appear to think that one was necessary.

6. It is difficult to assess how much support the B.D.P.P. has. The minority tribal leaders dislike it as an instrument of Bini hegemony, and even Binis, who are divided into two opposing religious factions, do not show much enthusiasm for it despite the fact that the Oba uses all the great prestige of his office to foster it. The Oba, in his endeavour to rally public support, has so far broken with native law and custom as to leave Benin City and to tour the province making political speeches. In some areas this has gained support for the B.D.P.P.; in others it has given rise to dark prophesies of fearful natural catastrophies. The net result appears so far to be a good deal of local political ferment and discussion, but nothing like a coherent political organisation capable of beating the Action Group or N.C.N.C. machines in the mid-West. The mid-Western N.C.N.C. are at present supporting the Oba for their own ends but are taking good care not to commit themselves to any sort of political alliance with him.

7. I think that the B.D.P.P. can as at present constituted be disregarded as a long term political force, although it may have some short term successes while the anti-Yoruba feeling is running high, and the population have not yet become accustomed to paying the increased capitation tax. Giving a less controversial and more effective leader than the Oba the B.D.P.P. might well emerge, however, as a permanent political force. No such leader is in sight—unless Enahoro changes his coat, which he is reported to be contemplating. My opinion is shared by the residents of Benin and Delta Provinces and by their D.O's. Ibadan appears to be more optimistic about the party's chances of growth and survival, and A.S. (Pol) told me that it appeared to be gaining a fair amount of popular support. I rather doubt this.

8. In any event, we need not expect an early answer to (2) as the Oba told me that he had not yet submitted the memorandum referred to in (1) to the Governor. As far as I could make out he does not intend to do so, but may try and see the Secretary of State when he is in Lagos. Mr. Williamson may therefore like to keep a copy of this minute as a brief against that (to my mind remote) eventuality.

¹ The BDPP was formed in Sept 1953.

² Oba Akenzua II, ruler of Benin, 1933–1978.

256 CO 554/840, no 3 8 Jan 1954
 [Lagos conference]: outward circular intelligence telegram no 7 from
 FO to HM diplomatic posts on the prospects for the resumed
 constitutional conference [Extract]

[The London constitutional conference agreed to resume in Lagos to consider a number of unresolved issues. The resumed conference began on 19 Jan 1954 under the chairmanship of Lyttelton and continued until 1 Feb, with once again, representatives of all the main parties present. The two most contentious issues, it was feared, would be that of the removal of Lagos from the Western Region and the AG demand for a right of secession to be written into the new constitution (see 264), a demand Azikiwe and the NCNC were determined to resist.]

. . . 5. The prospects of agreement at the Conference are difficult to assess. Much will depend upon the attitude of the Action Group Delegation, who may try to reopen the Lagos question and/or to get the Conference to agree to the right of Regions to secede from the Federation. In the absence of a clear-cut agreement between the Action Group and the other two major delegations to the Conference (the Action Group/N.C.N.C. alliance of 1953 is now broken) on an alternative solution to the Lagos question, there is no likelihood that Her Majesty's Government will be prepared to alter their decision that Lagos should be taken out of the Western Region and should become Federal territory. Whether, in that event, the Action Group will be prepared to remain in the Conference cannot be foreseen, but there is some possibility that they will and that they may even be prepared to accept the Federal structure which was worked out for Nigeria at the London Conference. . . .

257 CO 554/840, no 7 9 Jan 1954
 [Lagos conference]: outward circular savingram no 2 from CRO to UK
 high commissioners on the agenda for the resumed constitutional
 conference [Extract]

Conference on Nigerian Constitution is due to reassemble in Lagos on 18th January under chairmanship of Colonial Secretary to deal with subjects which were not discussed at or were left over from London Conference, and give final instructions to draftsmen preparing amending Order in Council.

2. Meanwhile, main internal development is in Eastern Region where National Council of Nigeria and the Cameroons (N.C.N.C.) led by Dr. Azikiwe has won 72 seats out of 97 in general election.¹ 13 of remaining seats are for Southern Cameroons and were all won by Kamerun National Congress which is calling for Southern Cameroons to be set up as separate Region with its own legislature and executive i.e. to be taken out of Eastern Region.

3. Business before Conference will be as follows:—

(a) Main item will be report of Fiscal Commissioner² appointed by Secretary of State in accordance with recommendation of London Conference to make recommendations on financial arrangements which should operate under revised

¹ ie to the Eastern House of Assembly. See 199.

² ie Sir Louis Chick.

Constitution. This report recommends re-allocation of Nigerian revenues, mainly in accordance with principle of derivation, which will operate as follows when revised Constitution comes into operation:—

	Expenditure	Revenue	Balance
Federal Government	£22.0 m.	£26.16 m.	+ £4.16 m.
Northern Region	£7.2 m.	£8.74 m.	+ £1.54 m.
Eastern Region	£5.7 m.	£5.24 m.	– £0.46 m.
Western Region	£5.7 m.	£10.19 m.	+ £4.49 m.

Report recommends that grants totalling £750,000 should be made to Eastern Region over two years to give it time to raise further revenue from its own resources to meet expected regional deficit, and that Federal Government should be empowered to make discretionary grants to Regional Governments if they get into serious financial difficulty through causes beyond their control, such as crop failures.

(b) Second major item will be future of southern part of Cameroons under United Kingdom Trusteeship. While election results show general desire for separate Regional status Fiscal Commissioner's report indicates that Southern Cameroons are unlikely to be financially viable for some time to come. Conference will need to discuss precise form which separate Regional status (which now appears inevitable) should take and what financial arrangements would be involved.

(c) Other items include report of committee set up by Governor to make recommendations on transforming the four existing all-Nigerian commodity marketing boards into regional organisations, while maintaining as far as possible advantages of existing boards in regard to co-ordination of overseas marketing. Proposals put forward at London Conference for administration of justice will also have to be discussed in greater detail. . . .³

³ See 250.

258 CO 554/912, no 3 15 Jan 1954
[Cameroons]: outward telegram no 17 from Mr Hopkinson to Mr Lyttelton on the Treasury's refusal to give financial aid to the Southern Cameroons

Following from Minister of State for Secretary of State.

Begins. Williamson will tell you of the approach I made to Boyd Carpenter¹ on the question of financial help for the Southern Cameroons. In his reply Boyd Carpenter has rejected the suggestion that Her Majesty's Government should assist in meeting South Cameroons deficits if the territory is in any way connected with the

¹ J A Boyd Carpenter, financial secretary to the Treasury, 1951–1954.

Federation, on the grounds that Her Majesty's Government could not (repeat not) accept financial responsibility in circumstances in which they had so little control.² He has emphasized that it is not merely the annual contribution from the South Cameroons in respect of Federal services which is involved, and has pointed out that the whole salary structure and to a certain extent taxation levels in the South Cameroons would inevitably rest on Federal decision. He appreciates that we had put forward suggestions for limiting contributions in respect of Federal services over a period, but argues that when the period came to an end Her Majesty's Government would be forced to make further payments on the basis of the level of Federal services then reached.

2. Since we have now pursued the matter as far as we can with the Treasury in the absence of the Chancellor, I feel I must report the position to you and await your instructions. There is no doubt that we are up against a real point of principle on which the Treasury feel extremely strongly. If we are to accept the Treasury's view, it seems that there are only two alternatives. One is that the Federation should bear any deficit that might arise on the South Cameroons budget and the other is that the South Cameroons, in spite of administrative difficulties and possible Trusteeship complications, should be entirely separated from Nigeria.

3. I appreciate, as I made very clear to Boyd Carpenter, that politicians in Nigeria are not on past record likely to be impressed with potential advantages to Nigeria of keeping South Cameroons within the fold, particularly at their own expense. You may, however, consider, on assessing the political climate at the Conference next week, that this might be acceptable to them if clearly faced with the alternative. I would therefore suggest that you might take an early opportunity if the necessity arises, of emphasizing the impossibility of Her Majesty's Government assuming financial responsibility without effective control. If it then becomes clear to you that there is no hope whatever of Nigeria accepting responsibility, in spite of limited and problematical financial commitment involved, we will of course return to the charge with the Treasury in the light of the position then reached. But on present showing I can foresee no (repeat no) chance of their accepting financial responsibility except on the basis of complete separation.

4. Copies of Boyd Carpenter's letter will be sent to Williamson in Saturday's bag.
Ends.

² See 249.

259 CO 554/898, no 11

21 Jan 1954

[Lagos conference]: statement by Mr Lyttelton to the resumed constitutional conference concerning the future political arrangements for the Cameroons (NC(54) 11)

[The victory of the KNC in the Southern Cameroons seats in the Eastern Region Assembly elections in late 1953 (see 237), was taken by the conference as an endorsement of the demand for the area to be separated from the East. The Southern Cameroons, it was agreed, would become quasi-Federal territory with its own Executive Council and Legislative Assembly; the Northern Cameroons however, would remain part of the Northern Region.]

I wish to inform the Conference of the course of my discussions with the Kamerun National Congress delegation.

2. At the beginning of our meeting Abba Habib of the Northern People's Congress delegation was also present, and he informed me that the Northern Cameroons adhered to the view which he had expressed to me during the London Conference, and still wished to remain part of the Northern Region.

3. I then discussed the future of the Southern Cameroons with Dr. Endeley and his advisers in the light of the results of the recent general election and of the Fiscal Commissioner's Report. Her Majesty's Government will continue to assist the Trust Territory with Colonial Development and Welfare funds. These funds could not, however, be used to supplement ordinary revenue in order to meet a current deficit. For some years to come there may be a need for external financial assistance and, if the Southern Cameroons were to remain part of the Federation, though not part of the Eastern Region, this could only come from the Federal Government.

4. Dr. Endeley told me that the Southern Cameroons did not wish to leave the Federation. I therefore explained to him that if the Federal Government were to be asked to accept a contingent liability to assist the Southern Cameroons in the event of deficits, the other delegations to the Conference were certain to require the fullest guarantees that government in the territory would be conducted on the soundest financial and economic principles. This the Kamerun National Congress delegation accepted.

5. We then discussed a possible structure of government in the territory, and reached agreement on the following proposals. The Southern Cameroons would cease to be part of the Eastern Region, but would remain part of the Federation of Nigeria and be quasi-Federal territory.

6. The Federal Legislature and the Federal Executive would have jurisdiction in the territory with respect to matters in the Federal and Concurrent Lists.

7. The territory would also have a Legislature of its own. This territorial legislature would consist of the Governor-General, who would be the authority to assent to Bills on Her Majesty's behalf, and an Assembly made up as follows:—

- (i) the Commissioner of the Cameroons (President);
- (ii) 13 Members elected from the 13 constituencies;
- (iii) 6 representatives of the Native Authorities;
- (iv) 2 representatives of special interests or communities not otherwise adequately represented; and
- (v) 3 *ex officio* Members.

The 3 *ex officio* Members would be:—

An officer with duties corresponding to those now performed by the Civil Secretary of a Region (who would have the title of Deputy Commissioner);
 an officer concerned with financial and developmental matters;
 a Legal Officer.

8. The territorial legislature would have power to make laws for the territory on matters in the Concurrent List and on residual matters (i.e. matters in neither list). It would have power to raise revenue from those sources open to a Regional Legislature. It would consider an annual Budget and would pass an appropriation Bill based on that Budget. This Bill would, like any other Bill, come to the Governor-General for assent.

9. There would be an Executive Council, which would consist of the Commissioner, the three *ex officio* Members of the Legislature, and four Members nominated by the Governor-General after consultation with the Commissioner. These four Members would be selected from amongst the 21 unofficial Members of the Assembly and the Commissioner, before submitting recommendations to the Governor-General, would consult the leader of the majority party in the Assembly. The Commissioner would be obliged to consult the Executive Council, except in certain specified circumstances, but he would be authorised to act against the Council's advice if he deemed it right to do so.

10. As we agreed at the London Conference, the Southern Cameroons would be represented in the Federal Legislature by six Members. There would, as at present, be one Minister from the Southern Cameroons in the Council of Ministers.

11. The Southern Cameroons could not be treated like a Region for purposes of revenue allocation. The Government of Nigeria has for some years past made available for expenditure in or on behalf of the Trust Territory all Government revenue derived from the Trust Territory. It has done this through Central and Regional Estimates and through the Cameroons Development Fund. An assurance has been given to the Trusteeship Council that all revenue derived from the Trust Territory will continue to be devoted to the Trust Territory and arrangements must be made to this end.

12. I hope the Conference will agree that the suggestions I have made provide reasonable safeguards for the Federation's interests while meeting the legitimate aspirations of the Southern Cameroons. Accordingly, I invite the Conference to endorse these proposals.

260 CO 554/898, no 13

22 Jan 1954

[Lagos conference]: statement by Mr Lyttelton to the resumed constitutional conference on proposals concerning overseas members of the public service (NC(54)13)

[The decision of the London and Lagos conferences to establish a separate public service for each region as well as one for the Federation caused considerable unhappiness among some expatriate officers. A meeting of the Association of Senior Civil Servants of Nigeria in Feb saw protests against the decision and heated talk of a 'trade dispute' with the government. The regionalisation of the public service and the move towards ministerial power in the regions and at the centre, marked a major change for civil servants who had been recruited in very different circumstances. Exacerbating the problem was the compensation that it had been agreed to grant to officers in the Eastern and Western Regions, but not elsewhere; these officers, it was said, because they now served under Nigerian politicians, would be having to put into effect policies they might find unacceptable. Significant in this were fears of an exodus of staff at a time when there was a considerable number of vacancies in the Nigerian service—approximately 20 per cent of senior posts were unfilled in mid-1954 (CO 554/1010, no 13, Goble to Williamson, 28 June 1954)—with the problem made worse by the difficulty of funding regional public services given the different resources of the different regions. This question in time moved into the broader issue of salaries, with the AG pushing for the appointment of a Salaries Commission which would include consideration of the special grants such as expatriation pay and children's allowances, paid to expatriates. In July the Nigerian government announced the establishment of a Commission of Enquiry to 'review the structure and remuneration appropriate to the new Public Services' and in Sept L H Gorsuch was appointed to head it (see 288).]

The London Conference's decisions affecting the Public Service are recorded in paragraphs 22 (ii) and 29 of the Report. The Conference recognised that under the proposed federal scheme it would be appropriate for the Centre and the Regions to have their own public services. It also recognised that Regional self-government would involve alterations in the conditions of service of certain categories of officers, and that such officers would have to be given adequate compensation if they wished to retire. I have given much thought since the Conference, in consultation with the Governor, to the best arrangements for implementing these decisions; and a number of consequential considerations arise with which I should like to acquaint this Conference.

2. First, however, I should like to offer some general observations. The Nigerian Civil Service is a partnership in which African and overseas officers work together for a common cause—the good of Nigeria. Everyone agrees that what is called the Nigerianisation of the Public Service must be pressed forward as quickly as possible. But all responsible people also agree that the efficient administrative machinery which the country must have cannot at present be provided unless a sufficient number of experienced and qualified overseas officers are retained. This was indeed recognised by the political leaders at the London Conference, and I hope that at the present Conference they will be ready to make a statement which will allay the anxieties of overseas officers and encourage them to continue to give to Nigeria under the new conditions the same devoted and invaluable service as they have rendered hitherto. I am circulating for the consideration of the Conference a document setting out the lines which I suggest such a statement might take (Appendix)¹

3. I trust that the Conference will agree with me that it is right to lay emphasis on positive encouragement to overseas officers to stay on and help Nigeria. But it is important also that officers who do not wish to remain under changed conditions, should be assured of fair and precise terms of compensation. Indeed, the two things go together, for experience elsewhere suggests that officers are more likely to stay on and give the new conditions a trial if they are relieved of anxiety about their position if, after trial, they find the conditions uncongenial.

4. Following general practice and precedent, more especially (so far as Nigerian conditions permit) the recent example of the Gold Coast, I propose that from the date of the constitutional change under which Central and Regional Ministers will be entrusted with general direction and control of, and individual responsibility for, the departments within their portfolios, it should be open to any overseas pensionable officer then in the Nigerian Service to retire at any time (with reasonable notice) on accrued pension or gratuity. This I would name Stage I, which will come into operation for all officers concerned when the new constitutional instruments come into force, and will continue in operation for every officer unless and until he becomes eligible for the further stages of compensation which I shall describe in a moment.

5. From the same date, I propose that all established officers of the present Government of Nigeria shall become members of the Service of the Federal Government. Certain of these officers will be assigned by the Governor-General for duty under the Regional Governments. This will, naturally, involve acceptance by the

¹ Not printed but see 263.

Regions of the obligation to pay for the emoluments of these officers. This arrangement will, so far as overseas officers are concerned, continue for a limited period while the Public Service is being redistributed. During this transitional period the Governor-General may transfer pensionable officers, with their consent, to a Regional Service. This process should, I think, begin as soon as the revised Constitution comes into force and in any event should be completed within a period of two years. Overseas officers assigned to a Region who, by the end of the two-year period have not accepted transfer, will be required to retire. Officers transferred would retain, after transfer, their right of retirement with accrued pension. They would retain their status as members of the Colonial Service and would continue to be eligible for consideration for transfer or promotion to posts elsewhere. I propose, also, to devise arrangements by which officers who so desire may be considered for transfer and promotion in other Nigerian Public Services as well as that to which they immediately belong and, indeed, by which each Service in Nigeria would look first to its sister services in the territory when vacancies occur before looking elsewhere. It may be appropriate here for me to say that, under the new arrangements proposed for the Southern Cameroons, all officers serving there would be Federal officers.

6. The question of some measure of compensation additional to accrued pension, but falling short of a full lump sum compensation scheme, arises when in any territory there cease to be any *ex officio* members of Executive or Legislative Councils. This will for the time being be the case only so far as the Eastern and Western Regional Governments are concerned. I propose that the right to retire on accrued pension *plus* additional allowance (which I will call Stage II) should be extended to any officer who transfers to the Government of a Region where these conditions obtain, after a qualifying period of service under the new conditions. This qualifying period should, I suggest, be one year after transfer.

7. Still following established practice and precedent, I consider that on the attainment of Regional self-government by any Region, officers in the Service of the Government of that Region should have the option of receiving a lump sum payment in addition to pension as an alternative to additional allowance (Stage III). Schemes of this nature have been adopted in other countries and a scheme is now under consideration in the Gold Coast.

8. I propose that, on the attainment of Regional self-government by any Region, officers who continue to serve there thereafter should continue to be eligible for consideration by the Secretary of State for transfer or promotion to Colonial Service posts elsewhere. I assume that the Nigerian Authorities would place no obstacles in the way of acceptance by such officers of any transfer or promotion which the Secretary of State may offer them and will maintain the present practice with regard to preservation of pension rights on transfer. A similar arrangement has been agreed to and welcomed in the Gold Coast and it provides an important inducement for officers to continue to serve after that stage has been reached.

9. African pensionable officers will, as I have explained, become members of the Service of the Federation, and certain of them will be assigned for duty under Regional Governments. These officers will, of course, be eligible for transfer to Regional Public Services but I do not think that in their case it is necessary, as is proposed for overseas officers, to make special arrangements to enable them to retire prematurely if they so wish. Whether or not it is necessary to fix a definite period

within which they must transfer is a matter on which the Conference may wish to express its views. I would hope that they will wish to continue to serve the country either in a Federal or a Regional Public Service as may be appropriate. I recognise, however, that there may be some individual officers holding Secretary of State's appointments who may feel that their position and prospects in the Service will have been prejudiced or that they have legitimate cause for anxiety about their future in the Service. I propose that such officers who can show to the satisfaction of the Secretary of State that this has occurred should be permitted to retire on the same terms as those accorded to overseas officers holding similar positions.

10. In commending these proposals to the Conference, I have had principally in mind those pensionable officers for whom I, as Secretary of State, have a particular responsibility. The general principles, or some of them, may be found suitable for other categories of officers, but modification may be required in some cases. I do not think it necessary to overload this statement by going into further detail at this stage. In general, I propose that when a Regional Government takes over a man it will take over at the same time the existing obligations of the Government of Nigeria to him. This will apply in particular to officers on contract and Nigerian officers, and I propose to circulate a paper to the Conference explaining in what particular respects these problems arise.

11. I should tell the Conference that I have received a copy of a memorandum addressed to the Chief Secretary to the Government by the Staff Side of the Joint Standing Committee of the two Junior Whitley Councils, protesting against the decision to regionalise the Public Service. Having regard to the representative position of the signatories to this memorandum, it is clear that Delegates to the Conference must be aware of their views. As, however, what they seek would be a complete reversal of the decision taken in London, this memorandum will be circulated for information only.

261 CO 554/840, no 15 23 Jan 1954
[Lagos conference]: inward telegram no 17 from Mr Lyttelton to the
CO reporting on the progress of the resumed constitutional
conference

After four days of meetings the waters are still. But it is too early to be sure they are not also running deep.

In these four days we have secured approval of the Chick and Marketing Board Reports virtually unaltered and acceptance of proposals for the Cameroons involving no financial assistance from H.M. Government outside Colonial Development and Welfare. I have also launched our proposals for Public Services but these remain to be debated.

Only danger signal so far is a paper by the Action Group suggesting that we should write into the Constitution the right of any Region to secede if proposal to do so is approved by a plebiscite in that Region. I could have rejected this paper as making a proposal inconsistent with the London decision. But I have decided that it will be better to let it be debated and other delegations have agreed. When debate takes place I shall, of course, make it clear that H.M. Government cannot entertain proposal and

I feel confident of support of all other main delegations. Action Group may walk out during the debate on secession, or possibly on the subject of public order being on the concurrent list. But at the moment I would say the odds are slightly against their doing so.

Prospects of securing alteration of London decisions on judiciary or education are very poor.

262 PREM 11/1367, no 305 24 Jan 1954
 [Lagos conference]: letter from Mr Lyttelton to Mr Churchill
 reporting on the progress of the resumed constitutional conference

So far all goes well with the Conference and we may pull it off. The Federal Government with official members and the Governor's Reserve Powers and the fact that the Police, the Judiciary and the Civil Service are all effectively safeguarded mean that we retain all the control over all the subjects that matter to us.

More regional autonomy satisfies at least their immediate aspirations. The progress here and in Northern Rhodesia since the war is almost fabulous and going ahead by leaps and bounds.

Already the National Revenue is over £50 million p.a. and it may well surpass before 1960 the British budget when your Father was Chancellor of the Exchequer.

The change of atmosphere in this place is very marked indeed since the London Conference and even your S. of S. and colleague gets a big reception in the streets. They knock one another about much more than they knock us.

I suppose we may yet run into some trouble but I hope not.

In the meanwhile it is stinking hot and rather difficult to write without the sweat running off the arm on to the paper.

263 CO 554/898, no 32 27 Jan 1954
 [Lagos conference]: statement by heads of Nigerian delegations on the
 future of overseas staff

Being assembled together in Lagos for the resumed Nigeria Constitutional Conference, we the leaders of the Nigerian Delegations wish to make clear on behalf of our respective delegations and parties our attitude towards the future employment of overseas officers in the Public Services of Nigeria.

2. We are aware that because of impending constitutional changes and the decision to establish separate Public Services for the Federation and the Regions, there is a feeling of uncertainty among many overseas officers regarding the security of their employment and the future conditions of their service. As a corollary to the changes which have been agreed we have accepted the need for introducing certain arrangements under which officers, should they so wish, may retire from the service. The details of these arrangements will be set out in the report of the Conference. Nevertheless, it is our hope that these officers will stay with us and we wish to assure them that they need have no anxiety about their future if they do so.

3. First we would like to assure all overseas officers who transfer to the new

Public Services of the Federation and Regions, that their services will not thereafter be dispensed with, except in accordance with traditional service principles. We are determined to press forward with the Nigerianisation of the Civil Service; but we are aware that the efficient administrative machinery which the country must have cannot, as yet, be provided unless a sufficient number of experienced and qualified overseas officers continue to be available. We therefore hope that as many overseas officers as possible now in the Service will continue to give devoted and valuable service to Nigeria in the new circumstances.

4. We also declare our intention to ensure that the interests of overseas officers who continue in the future to serve in the public services of Nigeria shall be fully safeguarded. We intend that all pensions liabilities (including Widows' and Orphans' benefits) shall be honoured. We assure them that future terms and conditions of service will be fair and reasonable and no less favourable than those obtaining to-day.

5. The Service will already be aware of the agreement reached at the London Conference that separate Public Service Commissions should be established to advise the Governor-General and the Governors of Regions respectively on public service matters in the Federation and the Regions. We fully support the principle that all Public Service questions including appointments, promotions, transfers, postings, dismissal and other disciplinary matters, should be kept completely free and independent of political control. We hope that the traditional principle of promotion according to qualifications, experience, merit, without regard to race will be maintained.

6. We hope that these assurance will help to allay the feeling of uncertainty at present existing among overseas officers and will be accepted by them as an expression of our genuine goodwill.

7. The Nigerian Civil Service has been a partnership in which African and overseas officers work together for a common cause—the good of Nigeria. It is our earnest wish that this same spirit of partnership should continue to animate the new Public Services which are to be established.

264 CO 554/843, no 3

28 Jan 1954

[Lagos conference]: minutes of the eighth plenary meeting on the
right of secession

[Extract]

... Mr. Awolowo concluded by re-affirming that all that his Delegation demanded at this stage was that there should be an express recognition of the right of secession.

Mr. Akintola, thanking the Chairman for having gone so far to clear the minds of the Action Group Delegation, enquired whether the matter was not already prejudged by the words 'in any way make the continuance of the Federation impossible' in the last two lines of paragraph 28 of the Report of the London Conference.

The Chairman,¹ replying to Mr. Akintola, said that if in 1956 the accredited representatives of the people of the whole of Nigeria agreed upon a unitary system, no question of Regional autonomy and the continuance of Federation would arise.

¹ ie Lyttelton

He reminded him that Her Majesty's Government had special responsibilities and that it would be represented at the 1956 Conference. It could not agree now to anything which would prejudice or pre-decide the course of that Conference. He assured the Action Group Delegation that the expression 'no holds barred' was unequivocal and was made without any proviso whatever. He wished expressly to confirm what Lord Munster had said in the House of Lords when he stated that Her Majesty's Government would not regard a constitutional attempt to obtain the right of secession as an act of force. Once again he wished to stress the futility of inscribing in the Constitutional Instruments a right of secession now when it was by no means certain from what body or system secession might at some later date be made.

The Chairman then read out to the Conference the following draft communique which he thought would faithfully represent the feeling and decision of the Conference on this subject:—

'A discussion took place on the question of the right of secession. It was agreed that no secession clause should be written into the amended Constitution. There was, however, no wish on the part of any delegation, or of Her Majesty's Government either to restrict the scope of the conference due to be held in 1956 or to prejudice its decisions on any issue.'

Mr. Awolowo said that the terms of the communique were satisfactory to the Action Group Delegation.

The Conference:

Approved the draft communique read out by the Chairman.

265 PREM 11/1367, no 303 29 Jan 1954
 [Lagos conference]: inward telegram from Mr Lyttelton to Mr Churchill on the completion of the resumed constitutional conference

Following personal for Prime Minister from Secretary of State for the Colonies.

Begins. The conference has been great success. I believe all our Imperial interests have been safeguarded and further that it is reasonable to expect political stability here for the next 2½ years. Final Session is on Monday and I hope to be in London on Wednesday next.

I am becoming increasingly worried by the news from Kenya and big changes in the organisation may be necessary. I feel I may have to ask you for leave to go there personally after my return.

266 CO 554/840 3 Feb 1954
 [Lagos conference]: outward circular intelligence telegram no 36 from FO to HM diplomatic posts on the conclusions of the resumed constitutional conference

[In essence the Lagos resumed conference confirmed the move towards full regionalisation agreed at London, in the constitution, the public service, the administration of justice and revenue allocation. The conference also confirmed the decision, approved by the Queen, to change the title of the regional lieutenant-governors to governor and of the governor of Nigeria to governor-general. In his statement to the

House of Commons on 10 Feb Lyttleton stated that 'the decisions taken in London and confirmed at Lagos to regionalise the public service and the Judiciary have been criticised on grounds of expense and administrative inconvenience. I would, however, remind the House that even the smallest of the three Regions in Nigeria, with a population of 6,360,000 is—with the exception of Tanganyika—bigger than any other British Colonial territory anywhere else in the world. I cannot repeat too often that her Majesty's Government firmly believe that it is in the interests of the peoples of Nigeria that the unity of the country should be preserved. It is my hope, indeed my confident hope, that the work we did in London and Lagos will serve to maintain and foster that unity and to promote the progress and happiness of all the people of Nigeria'.]

My Intel No. 7.

The resumed Conference on the Nigerian Constitution opened in Lagos under the Chairmanship of the Secretary of State for the Colonies on January 19 and completed its work on February 1. The agreed Report of the Conference is expected to be published about the middle of February.¹ It was attended throughout by all the political parties who came to the London Conference last July. The deliberations went smoothly and were conducted in a business-like spirit of compromise on all sides and with a desire to reach agreed conclusions without unnecessary argument. All the matters left over by the London Conference were dealt with. At the conclusion of the Conference several prominent Nigerian leaders complimented the Colonial Secretary on his chairmanship.

2. The main conclusions were as follows:—

(a) The Reports of the Fiscal Commissioner and of the Committee on the Regionalisation of Marketing Boards were accepted with minor modifications.

(b) Agreement was reached on the future of the Cameroons under United Kingdom trusteeship. The Northern Cameroons will continue its present association with the Northern Region, while the Southern Cameroons will have quasi-regional status in that it will be separated from the Eastern Region and come directly under the Governor-General of the Federation. It will have its own Legislature and Executive Council for dealing with those subjects which are to be within regional responsibility in the other Regions; the members of the Executive Council will, however, not have ministerial status, and officials in the Southern Cameroons will belong to the Federal Public Service. The Southern Cameroons will also be separately represented in the Federal Legislature and Council of Ministers.²

(c) The recommendation of the London Conference that the Courts should be regionalised and a Federal Supreme Court established was confirmed. Suitable provision for appellate procedure, on which the London Conference had failed to agree, was made.³

(d) Provisions for the Public Service resulting from the decision of the London Conference that there should be Regional and Federal Public Services, and from the other proposed constitutional changes, were agreed. The leaders of all the Nigerian Delegations issued a public statement to reassure overseas officers that they would continue to be welcome in Nigeria, and designed to remove misgivings

¹*Report by the Resumed Conference on the Nigerian Constitution held in Lagos in January and February 1954* (1954) Cmd 9059.

² See 259.

³ See 250.

about their future. The statement emphasised that the public service, should remain independent of political control.⁴

3. The question of Lagos was *not* raised by any delegation. The Action Group submitted a memorandum on the right of Regions to secede from the Federation, but after discussion it was agreed that no secession clause should be written into the revised Constitution.

4. Owing to the complexity and extent of the work involved in drafting the amended constitutional instruments, the Colonial Secretary informed the Conference that it was unlikely that they would be ready for submission to Her Majesty The Queen before July.

5. The above may be used freely.

⁴ See 263.

267 CO 554/1001 no 1 11–30 April 1954 [Nigerianisation]: minutes by T B Williamson, W L Gorell Barnes, A R Thomas¹ and N B J Huijsman on the Phillipson-Adebo Report

[*The Nigerianization of the Civil Service: a Review of Policy and Machinery* by Sir S Phillipson and S O Adebo had been finished in Apr 1953 (at the time of the self-government motion crisis), but was not published until Feb 1954.² Among its recommendations were the proposal that merit should be the only criterion for promotion; that Nigerian applicants should have prior consideration for vacancies in the public service—only if no qualified Nigerian was available should an expatriate be appointed; that the contracts of expatriate staff should only be renewed if no qualified Nigerian was available; that training scholarships should be established to encourage qualified Nigerians; and that a central Public Service Commission, with a majority of Nigerian members, should be set up to be responsible for the progress of Nigerianisation. The report was considered in early 1954 by the Council of Ministers which decided, in the light of the new circumstances created by the decision to regionalise the public service, that the machinery recommended by the report was no longer appropriate. When regional public services came into being with the new constitution on 1 Oct 1954, the initiative for Nigerianisation moved to the regions. Regional legislatures were responsible for salaries, allowances and conditions of service, while the governor, advised by a regional Public Service Commission, was in control of recruitment and discipline.]

I have two points to add to these useful minutes on a most important subject:—

1. The Nigerian Govt, on the official side, will have to be more sympathetic towards Nigerianisation (without sacrificing the vital principles) than I believe they have been in the last 2/3 years. Cf the current case of Mr Adebo himself. There was, I feel, a *prejudice* against him on racial grounds. There has, if anything, been a hardening against Nigerian appointments and promotions since the days when Dr Manawa was made DMS. The fundamental principles will be preserved, if at all, only if Nigerians who are worthy of promotion get promotion.

2. No less important and urgent, is the necessity for setting up local civil services, on the lines of the Gold Coast Local Civil Service, anyway in the Eastern & Western Regions (see pages 70–74 & 85 of the Report). Regional Self-Government implies a local civil service; but Mr Benson set his face against it right up to the time

¹ Assistant under secretary, CO 1952–1954.

² See 160.

of the Lagos Conference, if not till his departure. I don't think we can *propose* work on this till Regional S.G. begins. As in the G.C. there should be the Service already in existence in existence before S.-G. and ready for it. But it is going to be difficult to get this going when there is so much else to do on the Public Service front.

Subject to Mr. Thomas' views, particularly in relation to the bearing which a 'Commonwealth Service' (or whatever the latest title is) might have on the problem, I think we ought to note this point for discussion with Sir John Macpherson when he is in London in the last week of May.

T.B.W.
11.4.54

Mr Thomas

Mr Williamson

We should certainly take an opportunity to discuss public service questions with Sir J Macpherson when he gets home. I hope we shall insist that, so long as we are responsible, none of the Public Service Commissions to be established, shall have Nigerian majorities. But I think there is a good deal to be said for the grant to these of Executive powers within the limits proposed in this Report: it should avoid the awkward business of an Establishment Officer in the Prime Minister's office which is the solution to be adopted at the next stage in the Gold Coast. The method of appointment of the Commissions is settled until 1956 by the constitutional decisions.

W.L.G.B.
13.4.54

I agree that it will be desirable to avoid Nigerian majorities on the Public Service Commissions; also that they might well be given executive functions within the limits proposed. (Their function in regard to appointments, promotions and discipline would have to remain advisory).

I approach the question of a Local Service with caution. Strictly speaking there is no need for one. Every territorial service is a local one and with constitutional advances greater powers are gradually devolved upon the territorial government until, on a transfer of power, the Service comes wholly under Local control. But at all stages it is a Local Service and I have never really understood the need for special legislation. However, as in the Gold Coast, I doubt whether we need raise any objection to the formal setting up of a Local Service, subject of course to some kind of limitations about Colonial Service Officers joining it as happened in the Gold Coast. From the political point of view, I imagine that it must also be considered from the point of view of whether or not it is desirable to complete in this way the edifice of regionalisation and so perhaps make it more difficult to return to a unitary Service; if the keynote at some future constitutional stage should be a return to unity.

A.R.T.
15.4.54

I take the point made by Mr. Thomas at the end of his minute: it is, of course, a very pertinent one, if I may say so; and we have already noted for discussion with Sir J. Macpherson the general question of the shape of things, as regards number of Regions etc., from 1956 onwards.

2. But subject to that, I must confess that I am a little surprised at Mr. Thomas' reaction. I should have thought that experience in the Gold Coast had shown that there was some positive advantage in preparing the way, by orderly stages, for self-government by getting a Local Service established well in advance of the grant of self-government. I understand, too, that the establishment of a Local Service in the Gold Coast has by no means militated against the recruitment of expatriate officers on contract.

3. While we are at the 'thinking aloud' stage on this, I should be grateful for Mr. Huijsman's views on the point.

T.B.W.
22.4.54

With respect, I am of Mr Williamson's view that it would be advantageous if Local Services were now to be est. As I see it, their main advantage is political and psychological in that they make a clean break with a 'Colonial' past and shd in the eyes of the local popus be free from an 'Imperialist taint'.

2. While it is correct to say that the existing territorial civil service is in law the local service, I doubt whether the Nigerian Civil Service is in fact regarded as such by the public. My own impression (which I record with some diffidence) is that the Nigerian Civil Service is generally regarded more as a British instrument than as a local administrative cadre. Possibly this attitude is less strongly held with regard to the Junior Service and the departmental Officer, but it is certainly v. marked towards the senior Administrative Service. Given that attitude there is, to my mind, a risk that the politicians will seek to tamper with the integrity and independence of the Service, under the guise of removing 'imperialist' faults, once self-government is attained. To my mind it wld therefore be desirable to start creating Local Services now while we are still in a posn to influence their conds of service and work, and can prevent their subjection to political control.

3. I can however see one major objection to this course of action—namely the reaction of the expatriate official. It is quite possible that the Nigerian official wld regard the creation of a local service as evidence that his days were numbered, and wld get out while the going is good, whatever safeguards might be agreed upon for his future. This is an important concern, and Sir J. Macpherson may be in a posn to advise us what wt. to attach to it.

4. My views are based entirely on the value of a local service to the Administration; Mr Timms may hold different views with regard to the Departmental officer. . . .

N.B.J.H.
26.4.54

Mr A R Thomas } on return
Mr Gorell Barnes }

Please see the minutes from 15.4.54 onwards.

I agree with Mr Huijsman, except that I would not attach as much importance as he does to the objection mentioned in his 3rd paragraph. The establishment of a local service in the Gold Coast did not lead to a large exodus of expatriates: in fact it was an important contributory factor in preventing that.

We ought, I believe, to profit from recent G.C. history, & from the Governor's foresight. cf paragraph 7 of (1) on WAF 39/388/01 which I would attach. I think we should be unwise to drag our feet on this.

T.B.W.
30.4.54

268 CO 554/1247, no 2 12–13 July 1954
[Aid]: minutes by T B Williamson and W L Gorell Barnes concerning the grant of Colonial Development and Welfare aid to self-governing regions

Mr. Gorell Barnes

Mr. Melville

Sir C. Pleass wants a decision taken now 'at the highest level' that the grant of Regional self-government will not cause a self-governing Region to lose its entitlement to C.D. and W. aid.

He appears to justify his line by saying that no Region in Nigeria, if it is to operate within the Federation, can have complete financial autonomy and can therefore have full (Regional) self-government.

I suggest that we have got to be clear on two points.

The first is that the Regional self-government promised, in the terms set out in paragraph 28 of the report of the London Conference, is in fact real self-government. There will of course be many details to be worked out in 1956 but we can see fairly clearly even now that Regional self-government, within the meaning of the paragraph, will imply cessation of the Secretary of State's control over and right of intervention in such matters as the Public Service and residual subjects. It would be quite wrong and also politically most unwise to pretend that this will not be real self-government.

The second is that, as I understand the position, C.D. and W. aid stops when a territory becomes self-governing.

In view of Sir C. Pleass' remarks, I suggest that we should seek authority from the Secretary of State to get that established in relation to the position of any Region in Nigeria which claims self-government within the meaning of the London Conference report. Further, I think we should also seek authority to say that, subject to the views of the three Lieutenant-Governors and of the Governor, it would be proposed to make the point clear in the despatch which (I imagine) will issue within the next six or nine months notifying how much C.D. and W. aid, etc., each territory will get after Parliament has legislated.

In fine, I suggest we ought to make the position clear fairly soon, so that H.M.G. shall not be open, at the 1956 Conference, to the charge that it was seeking to get out of its promise to grant Regional self-government at that date by applying an unexpected financial sanction at the last minute.

Sir C. Pleass speaks of 'disastrous political consequences' etc., which would follow in the Eastern Region if C.D. and W. grants should cease on the attainment of Regional self-government there. He is, of course, right to sound a warning note. But communications from senior officials in Nigeria in matters of this kind do

sometimes suffer from over-emphasis. As an example I would refer to the telegram at (24) on WAF 39/3/03, which I attach.¹

T.B.W.
12.7.54

Mr. Melville
Sir H. Poynton
Sir T. Lloyd

Please see (2) and Mr. Williamson's minute of the 12th July.

The relevant sentence from paragraph 28 of the Report of the London Conference reads as follows:—

'The Conference eventually accepted a declaration of policy that in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Governments did not act so to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible.'

It will be for the Secretary of State at the time to interpret this statement; particularly the latter part of it. But I imagine that after 1956 the position of any Region which takes advantage of this offer will be that, in Regional matters, it will be completely self-governing except that someone, presumably the Governor-General of the Federation, will have a reserve power to stop it from doing anything 'to impede or prejudice the exercise by the Federal Government of the functions assigned to it', or 'in any way to make the continuation of federation impossible'.

It is definitely my view that in those circumstances a Region would not be eligible for C.D. and W. in respect of schemes concerned with matters not handled by the Federation, though its inhabitants could, of course, still benefit from assistance given to the Federal Government in respect of schemes concerning matters within the competence of that Government.

I agree that we should now make sure that the Secretary of State agrees with this view. But, if he does, the question of tactics—i.e. whether we should make the position clear now or leave it to be stated in 1956—will require careful consideration in consultation with the Governor who, in his turn, will no doubt wish to consult the three Lieutenant-Governors.

I accordingly suggest (a) that the file be submitted to the Secretary of State for a decision on the point of substance and (b) that if the Secretary of State shares my view on this point, then the Governor should be told and should be asked to advise on the point of tactics after such consultation as he considers necessary with the three Lieutenant-Governors. We could mention this to Sir J. Macpherson, who will be in London for a week, at the end of the month before his return to Lagos. But it would be advisable also to write to Sir H. Marshall both for the record and so that he can be giving the matter consideration against the Governor's return.

W.L.G.B.
13.7.54

¹ Not printed.

269 CO 554/848

[July 1954]

[Business interests]: CO note on Shell and Nigeria's new constitution

1. The Anglo Iranian and Royal Dutch–Shell Oil Companies began exploring for oil in Nigeria before the war. Their search was resumed in 1946. By 1951 about three-quarters of their concession (which covered practically the whole of the Eastern and Western Regions plus a ‘little of the North) had been surveyed. Then, influenced by events in Persia, they formed a local company, the Shell D’Arcy Petroleum Development Company of Nigeria, to continue the search.

This Company claimed to have spent £6½ m. on work in Nigeria by the end of 1953 and said they would spend another £2m. during 1954. The first deep test-well was sunk towards the end of 1951. Gas and oil was found near Eket in Calabar province (Eastern Region) on 6th November, 1953. The Company will probably know by about the end of 1954 whether there is oil in sufficient quantities to justify commercial exploitation.

2. Shell D’Arcy have so far had to deal almost exclusively with the Nigerian Central Government, e.g.,

- (i) in securing Exploration and Prospecting licenses (see list in Appendix I)¹
- (ii) in securing exemption from Customs duty for machinery and goods used in prospecting
- (iii) in collaborating with the Nigerian Survey departments (topographical and geological. The Company makes a quarterly report on its activities to the Director of Geological Survey.)
- (iv) in securing entry permits for its staff.

At the same time, however, the Company have undoubtedly had to carry the local and Regional authorities with them in much of their work and will have to do so no matter what the form of Government is.

3. Under the proposed new constitution, the Company will have to deal with the Federal Government for most of the matters referred to in paragraph 2, since companies, mines and minerals, company taxes, customs duties, and geological surveys, are all matters over which the Federal Government will have exclusive powers. Regional Governments will have concurrent powers over Industrial Development, Monopolies and topographical surveys but in these too the Federal Government will have the last word (see note on the proposed constitutional changes at Appendix 2). Hence in all vital matters, the company will continue to deal with government in Lagos.

4. The proposed system of revenue allocation under the new constitution might have indirect bearing on the company. The terms of any mining lease that may be granted to the firm are already fixed (see para. 3 of Appendix I). The company would have to pay to the Federal Government royalties of 12½% of the value of any oil extracted plus 45% of its profits (i.e. normal rate of income tax). The Royalties would go to the Government of the Region from which the oil was extracted while the company tax would be kept by the Federal Government. It is of course impossible to forecast how the total amount which might be paid in royalties in any one year will

¹ Appendices not printed.

compare with the amount to be paid in company tax. It is obvious, however, that if oil does become a profitable business in Nigeria the Region from which it is won might want increased Royalties which only the Federal Government could impose.

5. As we have recently pointed out to Nigeria (see 1 and 2 on PMD 138/14/02 Part A) the agreed terms of the draft Mining Lease are probably more to Nigeria's advantage than anything that could be got now. The Company, from its own point of view, would be equally well advised to stick to its present agreement for the time being. It has prospecting licenses valid for another three to five years which incorporate rights to thirty year mining leases in the areas concerned. There is no reason why these agreements should not be honoured but, because of the system of revenue allocation referred to in paragraph 4, any attempt by the company to have them altered might lead to political feuds which would do no one any good.

6. The Company's representatives might be told, therefore:—

(i) that the Federal Government will deal with their affairs in much the same way as the Central Government does now, at least until 1956.

(ii) that there are, nevertheless, possibilities of conflict between the Regional and Federal Governments which might be aggravated by a successful strike of oil (e.g. in the system of revenue allocations). If the strike is in the Eastern Region however (as seems likely) and if Dr. Azikiwe is both in power and also in his present amiable mood, there should be no risk of damage to the Company's interests and moreover, the strike might do much to divert the West from its separatist tendencies (there would at least be an effective answer to the West's complaints about financing the Federation from the proceeds of export tax on Western cocoa;)

(iii) Although Mr. Awolowo has, we understand, spoken in public about 'nationalizing' alien enterprises, concern on this score would be premature. In any case his influence is unlikely to extend much beyond the Western Region.²

² In early July Poynton and Gorell Barnes were invited to dinner at the Ritz by representatives of Shell and Unilever to be appraised of the latter's concerns about the position of business in Nigeria and the Gold Coast during the transition to independence (CO 554/848, no 2, minute by Poynton, 14 July 1954).

270 CO 554/840, no 65 31 Aug 1954
**[New constitution]: outward circular intelligence telegram no 189
 from FO to HM diplomatic posts on the commencement of the new
 constitution**

[When the so-called Lyttelton constitution came into effect on 1 Oct 1954, it established Nigeria as a fully fledged Federation. It was accompanied by the appointment of Awolowo as Premier of the Western Region, Azikiwe of the Eastern Region and the Sardauna of Sokoto of the Northern Region; Endeley became leader of government business in the Southern Cameroons.]

My Intel No. 36.

The Instruments giving effect to the recommendations of the London and Lagos Conferences on the Nigerian Constitution were approved by Her Majesty in Council on August 30. (The main features of the new Constitution, and the political background thereto, are described in my Intels. Nos. 84, 132 and 167 of 1953, and

Nos. 7 and 36 of 1954; the Reports of the Conference on the Nigerian Constitution, which were issued as Cmd. 8934 and 9059, set out the changes proposed by the Conference in greater detail.)

2. The new Constitution will come into operation on October 1. Certain provisions, however, particularly those dealing with the replacement of the existing Nigerian Supreme Court by a Federal Supreme Court and five High Courts (one for each Region, one for the Southern Cameroons and one for Lagos) and with the transformation of the existing unitary Public Service into a Federal Service and three Regional Public Services (the Southern Cameroons and Lagos administrations will be staffed by Federal officers), will require a long transitional period before they can become fully effective. In the case of the Public Service this transitional period will come to an end on August 30, 1956, and in the case of the Courts it will be terminated when the Federal and Regional Legislatures pass the necessary legislation establishing their respective Courts.

3. The Instruments also provide that the existing Regional Legislatures, subject to certain changes in their composition, will continue to function as the Regional Legislatures under the new Constitution. The new Federal House of Representatives will, however, require to be elected, and the existing House of Representatives, which held its last session from August 13 to 26 to vote a supplementary budget taking account of the impending constitutional changes, now stands dissolved. The new Federal House will be composed of the following:—

A Speaker,

3 *ex-officio* members (who will also be members of the Federal Council of Ministers),

92 elected members from the Northern Region,

42 elected members from the Eastern and Western Regions respectively,

6 elected members from the Southern Cameroons,

2 elected members from Lagos.

4. It is unlikely that the Federal elections will be held before November, 1954, and their outcome is difficult to forecast. It seems likely, however, that no one party will gain an overall majority, and that consequently the Governor-General will have to consult with the leader of the majority party among the members elected from each Region and the Southern Cameroons before appointing ministers to the Federal Council of Ministers (of whom there will be ten, namely, three from each Region and one from the Southern Cameroons). Until the new Council of Ministers takes office the present Council will continue to function.

5. The foregoing may be used freely.

271 CO 554/1236, no 7

18 Sept 1954

[Western Region government]: inward telegram no 133 from Sir J Macpherson to Mr Lennox-Boyd concerning the Oyo riots

[Riots in Oyo on 5 Sept 1954 left six dead and 23 injured. On one level this was part of a broader swathe of anti-tax riots in this area at this time, generated by the AG government's attempt to meet its pledges on education and welfare. On another, the riots revealed more significant developments concerning the exercise of political power at the local level. At the heart of the riots was tension between the AG regional government and

the Alaafin, the ruler of Oyo and one of the most senior Yoruba chiefs. This had expressed itself from 1952 in difficulties with Bode Thomas, an indigene of Oyo, chairman of the Oyo Divisional Council, deputy leader of the AG and central Minister of Transport. When the Oyo Divisional Council voted to reduce the Alaafin's salary, opponents of the AG formed a rival party in the town, the *Egbe Oyo Parapo*. This party capitalised on the wider disaffection with the AG's tax policies and formed links with the NCNC. The AG accused the Alaafin, not incorrectly, of being behind the party. Following the riots of 5 Sept, and under persuasion from the administration, the Alaafin left Oyo voluntarily. The subsequent commission of enquiry under R D Lloyd QC, recommended, in Jan 1955, that the Alaafin should be allowed to return, a decision the Western Region Executive Council refused to accept. In July 1956 the Western Region government chose to depose him and a new Alaafin, an AG supporter, was installed. The lesson for all chiefs in the Western Region was clear.]

You will wish to know that major crisis in Council of Ministers over Oyo affairs, and in particular removal of Alafin¹ from Oyo, was narrowly averted on Friday.

2. Purpose of this telegram is to give you background information. Crisis itself will be discussed in my immediately following telegram.

3. Alafin is elderly, illiterate and old fashioned and has probably never really accepted Native Authority reforms of 1951 by which majority of councillors were elected. Majority of elected councillors were Action Group supporters.

4. Alafin was surrounded by large numbers of personal servants and hangers-on and by his own relatives, particularly his son the Aremo, who have been accustomed to exploit unsophisticated population of Division in Alafin's name. Alafin's own ideas are also very old fashioned.

5. Early in 1953 major domestic crisis arose in Oyo between Alafin on one side and his senior chiefs and elected councillors led by the late Bode Thomas.² Fellow Obas intervened but situation was only saved when Alafin signed humiliating terms including the banishment of his son the Aremo.

6. Alafin probably never intended to stick to this agreement and by September, 1953, storm had again blown up and Alafin's fellow Obas again intervened to patch up an uneasy peace. In meanwhile supporters of Alafin organized themselves into body known as Oyo Parapo³ and, because N.A. Council was predominantly Action Group and anti Alafin, Parapo tended to fall into other political camp and of recent months has been closely allied with N.C.N.C.

7. Of recent months quarrel between Alafin and his Council has again emerged and fellow Obas were again asked to intervene to reach a settlement. Before the events of 5th September described in my telegram No. 1429, principal Yoruba Obas had met among themselves and had decided that in Alafin's own interest he would be well advised to leave Oyo Division for the time being, thus following the example of the Alake during the time of the Abeokuta troubles.⁴ They had arranged to meet the Alafin on 6th September.

8. In the meanwhile the riots of 5th September took place. These riots were probably mainly political, a clash between Oyo Parapo and the Action Group, and

¹ Alhaji Adeniran Adeyemi II, Alaafin of Oyo, 1944–1956

² Bode Thomas, Balogun (war chief) of Oyo and chairman of the Oyo Divisional Council, died suddenly on 23 Nov 1953.

³ ie *Egbe Oyo Parapo*, or Oyo People's Party.

⁴ Sir Oladipo Samuel Ademola II, Alake of Abeokuta, 1920–1961. Discontent in Abeokuta in 1948 led the Alake voluntarily to leave the city early in 1949. Following an attempt to establish an Egba Central Council to exercise his functions, the Alake returned at the end of 1950.

were not immediately concerned with the quarrel between the Alafin and his chiefs and councillors [sic].

9. At the meeting on 6th September which Alafin attended his fellow Obas found him in truculent mood and gave him the advice which they had previously decided on, namely that he should, for the time being, leave the Division. He rejected it. Leading Obas accompanied by Awolowo and Akintola then saw Acting Lieutenant Governor and tendered him the same advice with regard to Alafin.

10. In parenthesis it should be noted that Action Group are quite unable to tolerate opposition and expect all Obas to toe the party line. They see no objection to an Oba being partisan so long as he is of the right party.

11. On 7th September Acting Lieutenant Governor saw Alafin and advised him in the strongest terms to accept the advice of his fellow Obas and to leave the Division voluntarily for the time being. This the Alafin agreed to do.

12. In the meanwhile at the request of the Western Regional Government, I, on the advice of the Council of Ministers, had appointed a commissioner to inquire into the causes of tension in the Oyo Division since April, 1953, and into the riots of 5th September, and I had also made an order declaring Oyo Division a proclaimed district under the Peace Preservation Ordinance.

13. Between 7th and 11th September, the date on which Alafin was supposed to leave Oyo, he changed his mind three times, finally listening to the advice tendered to him by supporters of the Oyo Parapo and the N.C.N.C. and rejecting the advice of his fellow Obas and the Lieutenant Governor. When the Alafin refused to go, the Regional Government removed him from his position of President of the Oyo Native Authority and made a formal request to me that I should make an order under the Ex Native Office Holders Removal Ordinance, removing the Alafin from the Oyo Division. This request I took to a specially summoned meeting of the Council of Ministers on Friday 17th September.

14. In this background picture it is only necessary to add that one of the planks of the N.C.N.C. election campaign in the Western Region is that the party is the true supporter of the traditional leaders of the Yoruba race against the Action Group, who are determined to make all Obas subservient to the party.

15. For events in the Council please see my immediately following telegram.

272 CO 554/1247, no 6 15 Oct 1954
 'Financial assistance for self-governing regions in the Nigerian federation': memorandum by T B Williamson¹

H.M.G. are committed to a further conference to review the Nigerian constitution, and to examine the question of self-government. This conference is to be held in Nigeria, in less than two years from now. Each delegation will be free to raise any matter which it wishes. In Lord Chandos² words at the Lagos conference, 'no holds will be barred'.

The conference will be decisive for the future of Nigeria; and it is not too early to start thinking ahead.

¹ See 268.

² Lyttelton became Lord Chandos following his retirement as secretary of state in July 1954.

Even if the following paragraphs are necessarily speculative, they represent the best forecast I can make at the moment of how one or two of the major issues may present themselves in 1956.

Let us assume that the North will still be represented, apart from minority parties, by the N.P.C., even if under different (and one hopes better) leadership. Let us also assume that the N.C.N.C. will still be the majority party in the East. It is anybody's guess at present whether they, or the Action Group, will be the ruling party in the West. In the present context I doubt whether it matters materially; though my guess is that if the N.C.N.C. were in power in the West the U.K. delegation's task might be easier in some important respects, e.g. there should be much less trouble over the status of Lagos, or the right of secession.

The first main issue to be discussed and disposed of will be whether the present Regional boundaries shall be maintained or redrawn to provide for more Regions. Both the N.C.N.C. and the Action Group have now come out firmly, though with certain qualifications, in support of more than three Regions (or States). But for reasons into which I need not enter in this paper my present view is that H.M.G.'s line will be to maintain the status quo.

Proceeding from that assumption, it seems probable that the East and West will both elect to take Regional self-government in 1956, but that the North may not. If however for reasons of pride, or under pressure from back-bench and opposition elements, the North felt obliged to keep up with the Jones's and to have Regional self-government too—either in 1956 or fairly soon afterwards—it is likely that they would insist on the *Federal* Government remaining dependent for a further period as a condition of the North's remaining within the Federation.

The Southern Cameroons are also unlikely to want, or to be able to support, self-government for a good many years yet. And it is perhaps worth mentioning in this context that we could neither split the Southern Cameroons off from the rest of the Federation, or give the whole Federation including the Southern Cameroons full self-government, without re-negotiating the Trusteeship Agreement. This is probably going to be a very useful card to have up our sleeves—if we can keep it there so long—at the 1956 conference.

But to stand firm in support of the North, i.e. to refuse independence to the whole Federation even if all the Regions become self-governing, would undoubtedly create difficulties with the East and West. It will be recalled that the London conference report contained the following words: 'The Secretary of State for the Colonies informed the conference that H.M.G. were not prepared to fix a definite date for self-government for Nigeria as a whole, the more so as the Northern delegation, representing over half the population of Nigeria, was unable to depart from its policy of self-government as soon as practicable'.

That passage in the report was based on Mr. Lyttelton's words, which are recorded in the conference minutes, that: 'Her Majesty's Government did not intend to force self-government either upon any part of Nigeria before it felt ready for it or upon Nigeria as a whole so long as any substantial part of it did not consider the time opportune'. Mr. Lyttelton repeated those words, particularly to reassure the North, at the Lagos conference.

Neither the N.C.N.C. nor the Action Group have forgotten them. The N.C.N.C.'s election manifesto, just published, contains the following passage:—

‘The political objective of the N.C.N.C. is Dominion Status, in 1956.

Since the N.C.N.C. believes in One Nigeria, it does not labour under the illusion that any one region can be truly self-governing while the others remain dependent on Great Britain.’

(West African Pilot, 4th October).

Two things at least seem clear:—

(a) The atmosphere at the conference, by the time these fundamental issues have been discussed, will be emotionally highly charged; and that will not be conducive to the unhurried formulation of wise decisions about such matters as financial assistance under the new arrangements. Therefore it would be as well to have prepared well in advance the possible line or lines open to the U.K. delegation. (Moreover as the conference is to be held in Nigeria, reference back at short notice to other interested Departments in Whitehall will present difficulties).

(b) H.M.G. will wish to do nothing to detract from the reality of the self-government granted to the Regions, or at least nothing that would run the risk of being represented in that light by Nigerian politicians who will have led their supporters to expect full independence, prematurely, for the whole Federation. The more we can ‘dress up’ Regional self-government, the better. The less ‘Colonialism’ there appears to be about the new arrangements, the easier the task may be. This is the crux of my contention that any financial assistance which H.M.G. may want to give to self-governing Regions should not have any ‘Colonial’ imprint upon it, but should appear to be in the form of aid from one independent government to another.

We cannot of course define at all precisely now what Regional self-government will mean, within the limitations of paragraph 28 of the London conference report. But for present purposes I think we can say, broadly, that it will include at least the cessation of the Secretary of State’s ultimate control of the Regional Public Services, and of all matters within exclusive regional competence. Any reserved and discretionary powers necessary to ‘ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible’ will probably have to be conferred upon the Governor-General, though exercisable throughout the Federation. C.D. & W. aid would of course continue to be available for approved Federal schemes.

273 CO 554/1181, no 2

18 Oct 1954

[Eastern Region and the Colonial Service]: letter from Sir C Pleass to T B Williamson on the situation in the Eastern Region. *Minutes* by W L Gorell Barnes, Sir C Jeffries, Sir T Lloyd and Mr Hopkinson

I am writing this because I thought you might like to have in a demi-official letter a few pointers to the present political situation in this Region, and various matters connected therewith. It is long and rambling and for that I apologise.

During the past three months there has been very considerable political

manoeuvring in the N.C.N.C. in this Region in regard to the appointment of Ministers, and although the Party has an overwhelming majority in the House, it is nothing like as united as might be thought. Zik still retains his personal position, and when he wishes to exert his authority he almost always attains his object, but save in matters which he considers of importance he prefers to lead from behind. I am coming more and more to the conclusion that the truth is that his real interest is in being regarded as an international statesman, and not in the details of practical administration in any one Region.

In all the political manoeuvrings the key figure has been [E.O.] Eyo. As you know, he was convicted some years ago of being in possession of counterfeit coins and served a sentence of something over five years imprisonment. He is, however, a very ambitious man, has quite a good brain, and has been going all out during the past four or five months to secure his appointment as a Minister. I am sure he has brought tremendous pressure to bear on other party members and on Zik who was in a difficult position in this matter. Eyo represents Uyo Division in the Calabar Province in the House of Assembly. Of the eighteen seats in the Calabar Province, which is non-Ibo, eight were won by the U.N.I.P. There is agitation in the non-Ibo Provinces—Calabar, Ogoja and Rivers—for separation from the Ibo-speaking Provinces and fear of Ibo domination is a very real fear in those areas. Furthermore, oil has been found in the Calabar Province although it is not yet known whether in commercial quantities. If, therefore, Eyo decided to leave the N.C.N.C. he might be accepted by the U.N.I.P., though I doubt it, and he might succeed in swaying the N.C.N.C. seats in the Calabar Province in favour of the U.N.I.P. His importance to Zik will therefore be appreciated. On more than one occasion, during the past six months Zik has asked me whether it would not be possible to get a free pardon for Eyo, but I have always told him it would be quite impossible. In the event, opposition in the party to Eyo being made a Minister was so strong—I understand two Ministers threatened to resign if he were made one—that Zik did not recommend him.

This manoeuvring has, however, had the result that Eyo—who is quite ruthless and utterly unprincipled—has been able to become the spokesman of the back-benchers, most of whom are of course politically quite inexperienced, and in accordance with the custom of the East, he has succeeded in compelling the Government to accept a good many amendments to certain bills, e.g., the Appropriations [Sic] Bill and the Marketing Board Bill. Some of them were in respect of items which the Ministers had been persuaded to accept as a result of discussions in Executive Council, and it is very difficult to say how far they were glad to see Eyo's amendments and were therefore not prepared to oppose him.

The liaison between Ministers and the Parliamentary Party is no better with the N.C.N.C. than it was eighteen months ago with the N.I.P. although the organisation of the N.C.N.C. is infinitely superior. It is also pertinent that the N.C.N.C. leaders are worried by and fear the money and organising ability of the Action Group. In the Federal Elections now proceeding, the Action Group in league with the U.N.I.P. are concentrating their campaign on the non-Ibo Provinces and on the Aba Division which are the N.C.N.C. weak spots.

The Ministers are determined in 1956 to secure control of the Civil Service, in spite of what the political leaders said in London and in Lagos and in spite of what they signed. Incidentally, in this connection, the Home Secretary's speech on the

Crichel Down affair¹ has had an important effect. You will remember that he said:—

X | 'The Civil Servant was wholly and correctly [sic directly] responsible to his
| Minister. He held his office at pleasure, and could be dismissed at any time by
| the Minister, and that power was none the less real because it was seldom
| used.'

All the Ministers in this Region are aware of this statement—a Nigerian Private Secretary ringed it around in red pencil and made sure it was brought prominently to their attention. Presumably his statement is correct but it may well have a disastrous effect out here in 1956. Of course, they don't really understand how a democracy works—they are intensely sensitive to criticisms by their opponents and are aiming at a one party system of Government. Possibly because the more prominent of them were educated in America they really prefer the American spoils system to our system. You may have heard how during the September Session of the House of Assembly Eyo moved the adjournment of the House of a matter of urgent public importance, namely that Civil Servants were playing a part in party politics (a motion which in my opinion the President was quite wrong to accept, but which he did accept) and then proceeded to level accusations against numerous African and European Civil Servants, including Administrative and Police officers in Abakaliki, the Legal Secretary, and the Clerk to Executive Council. To a letter which was addressed to Eyo asking if he would supply us with the information on which he based these allegations, no reply has been received. All my information is that this debate was not in fact pre-arranged, but that it blew up suddenly in the following manner. Criminal charges had been levelled against certain of the Members of the House of Assembly from the Abakaliki Division in Ogoja Province and they were naturally doing all they could to secure the withdrawal of those charges, and to hamper the prosecution. They therefore sought the assistance of Ministers and threatened to raise the matter on the adjournment. On the morning of the day on which the debate took place, the Parliamentary Party was holding a meeting to discuss various amendments which had been discussed in ExCo the previous night, when all of a sudden a member (I am pretty sure it was Mbonu Ojike, but can get no definite information on this point) walked in and said he had just seen the Chief Clerk of the Public Works Department distributing Action Group pamphlets in the office. Here I may say that the Action Group pamphlets are very well produced and have caused a great deal of trouble and offence to the N.C.N.C. The Parliamentary meeting just blew up, and it was decided there and then to move the adjournment. I am having a careful enquiry made through Civil Service channels into the allegations, but it is already clear that in the great majority of cases there is not a grain of evidence

¹ The Crichel Down affair concerned the resignation of Sir Thomas Dugdale, minister of agriculture, in July 1954, over the action of his ministry concerning the disposal of land in Dorset, compulsorily purchased in 1937, *Report of the Public Inquiry ordered by the Minister of Agriculture into the disposal of Land at Crichel Down* (London, 1954) Cmd 9176. C G Eastwood, later assistant under-secretary of state, CO, responsible for the Africa Division, was the commissioner of Crown lands involved in the Crichel Down affair.

against any Civil Servant. I told ExCo on the night of the debate that I should have such an enquiry made and that the Members who had made the allegations would be asked if they would be good enough to supply us with the information on which they had based those allegations. When Eyo was asked to do this, he put down a motion in the House calling for a commission of enquiry into the political activities of Civil Servants. Although I should of course never have agreed to appoint such a commission I thought it essential to discuss the motion in Executive Council. I pointed out to Executive Council how disastrous such a thing would be and that they would be likely to lose a very large proportion of the expatriate officers of this Region in twelve months time. They realised that, with the result that the motion found no place on the order paper. It was obvious from the discussion that took place, however, that Eyo and numerous others were very frightened that their being asked to provide us with the information on which they based their allegations was a trap to trick them into repeating their allegations outside the House, when they would no longer be absolutely privileged and when an action for libel could be brought.

It is very difficult to say exactly what the effect of the debate has been, but that it has done some harm is certain. I don't think there can be much doubt that the confidence of the Service has been shaken by recent events, but I think the attitude of a great majority of officers is that they are prepared to wait and see how things develop. They realise that some of the recent events have been due to electionneering fever and they are prepared to await events. Zik himself, of course, is well aware of the need to preserve the confidence of the Service and has told me that he fully realises the necessity for the continuation of the Service even after self-government is achieved.

Certain of the Ministers are furthermore quite determined to secure an alteration in the set-up of the Administration. They want to abolish the system of administration by Provinces. This of course means in effect the abolition of Residents. They do not want most of the present Residents to go—they might become Permanent Secretaries in their view. What they want is to ensure direct communication between Divisions and the Regional Headquarters at Enugu in every way. A motion to this end was put down on the Order Book at the February meeting of the House and again at the September meeting. On each occasion I succeeded in ensuring that it was not moved. I don't say that some re-organisation is not now necessary, and that there may not be a case for reducing the size of Provinces and enlarging the size of Divisions, or perhaps establishing an organisation on the basis of one or more County Councils. But they were very anxious to have a snap decision and I am very anxious that the thing should be thought out properly. I have no doubt they will return to the charge at the next Budget Session. In the meantime, I am having further discussions with Zik on this.

During the past six months the attitude of the N.C.N.C. Ministers in the East has hardened in a marked degree against the Centre and the West, mainly I think from the following causes:—

- (a) the actions of the Action Group and the fact that the West have money to do what they want,
- (b) what I can only assume to be the failure of the Zik-Ojukwu mission to bring back any concrete investments,

- (c) the refusal of the Central Government, though it agreed that a general revision of salaries was not justified, to amend the terms of reference to preclude the Commissioner from recommending a general increase, and
- (d) their intense hostility to the Chick Report.

After considerable discussion and full explanation they accepted the conditions of the oil agreement with Shell D'Arcy. I was very apprehensive that because of the Chick Report, as a result of which companies' income tax is a Federal source of revenue while mineral royalties are a Regional source of revenue, they would press for a variation of the agreement to increase the royalty rate, but that hurdle was successfully and for the time being surmounted.

They also accepted without a great deal of discussion the statement on Communism and the employment of Communists. I think this was partially due to the fact that the United Working People's Party is as active in this Region as anywhere else, and they know it.

If I come home in November I shall have an opportunity of amplifying this letter in discussions with you.

Minutes on 273

I was always afraid that the Crichel Down debate would have a very bad effect in West Africa.

W.L.G.B.
1.11.54

I fear we must face the fact that once a territory becomes independent there is nothing more that can be done about the public service. I don't remember if the documents drawn up in connection with Crichel Down contained any useful corrective material, but after all the fact is that the civil servant in this country is entirely subject to Ministerial direction. His safeguards do not rest upon any constitutional provision whatever but on

- (a) the common sense of Ministers, who appreciate that it would not be in the interests of the government to alienate the civil service, and
- (b) the certainty that any flagrant abuse or injustice would provoke Parliamentary and public indignation to a point which might imperil the Minister concerned or even the whole Government.

C.J.J.
3.11.54

Minister of State

I submit this for two reasons. First, you will, I am sure, be interested to read the letter (No. 2) from Sir Clement Pleass since the substance of it would have formed an excellent basis for one of the new series of periodical despatches for the education etc. of outside Ministers. That arrangement has not yet started in the Nigerian Regions but we hope that it will soon.

The second reason is that the statement quoted at X on the second page of No. 2, made by the then Home Secretary during the Crichel Down debate, may well have an unfortunate effect in some territories with advanced constitutions. It is a pity, from our point of view, that he did not attach to it (as there was attached in the official brief—see Y in paragraph 7 of the enclosure to No. 1 on EOD. 203/02) the explicit

qualification that permanent officials do not lose their offices on a change of Government and are not to be dismissed lightly or capriciously.

I doubt whether there is any easy way of countering this unfortunate effect, but I propose to put the point to Sir E. Bridges and ask whether there is any way (possibly through some adaptation of the note on disciplinary arrangements in the Home service which the Treasury are now in the course of producing) in which we could properly make it clear to Colonial Ministers that the power of dismissal of civil servants in this country, though a reality, would never be used capriciously, but only when the Minister (and in the case of the higher officials the Prime Minister also) was satisfied that no other course was open.

T.K.L.
8.11.54

This is a disturbing letter any way you look at it. The only thing is for the Governor (and the Governor-General) to go on rubbing these points into Zik and to others and hope that they will profit by experience. But meanwhile the civil service will suffer.

H.L.H.
8.11.54

274 CO 554/1159, no 2

20 Oct 1954

[Political situation]: minute by T B Williamson expressing concern at the lack of information from Nigeria

I called for these papers because, having already seen despatches from Sir Charles Arden-Clarke and Sir Robert Armitage,¹ I felt it was time that we heard something from Sir John Macpherson.

As I have mentioned once or twice before, we are not being kept very well informed (officially) at present about what is going on in Nigeria. We are having to 'rely' to a large extent on Nigerian newspapers, and apart from the monthly Political Intelligence Notes and the special communications about the removal of the Alafin of Oyo,² we have been told very little.

It is easy to understand the reasons for this, given the pressure under which most senior officials in Lagos and the three Regional capitals are working, but I feel we have been for too long without as much information as we ought to have. It was very much with that in mind that I supported, for my part, the original suggestion of last June that these periodic despatches should be sent.³

I feel we ought to have something from Sir John Macpherson this side of Christmas. I hope therefore that a letter on the lines of the draft I am venturing to put up, may go to him. I fear that if we leave things on the basis of the letter at (2), Sir John will not send us anything until after the Federal elections are over—which means that we shall get nothing until about the end of January.

¹ Sir R Armitage, financial secretary, Gold Coast; minister of finance, Gold Coast, 1951–1954.

² See 271.

³ Colonial governments had been asked in June 1954 to provide periodic reports on their territories for circulation to ministers in the UK and selected overseas posts. See R Rathbone, ed, *Ghana* Part II, 152, note.

275 CO 554/914, no 17 27 Oct 1954
[Cameroons]: despatch no 216 from Mr Lennox-Boyd to Sir J
Macpherson on the implementation of the constitutional changes
concerning the Cameroons

I have the honour to address you on the subject of the administration of the Cameroons under United Kingdom Trusteeship in the light of the recent constitutional changes in Nigeria.

2. You will recall that at the conference on the Nigerian Constitution held in London in 1953 my predecessor arranged special discussions with representatives from both the Northern and Southern Cameroons to ascertain their views regarding the future administration of the Trust Territory. Early in those discussions the representatives of the Southern Cameroons expressed the hope that both parts of the Territory might be administered as one separate Regional unit. When, however, the Northern representative made it clear that the people of the Northern Cameroons wished to continue their association with the Northern Region of Nigeria, the Southern representatives accepted his statement and the majority of them asked that the Southern Cameroons alone should be established as a separate Region. Her Majesty's Government agreed to consider this proposal in the light of the outcome of the general election which was shortly to be held in the Southern Cameroons and also of the Report of the Fiscal Commissioner who was to be appointed in accordance with the recommendations of the conference.

3. These matters were again considered at the resumed conference held in Lagos early this year when further discussions were held with representatives from both parts of the Trust Territory.¹ In the course of these discussions it was established that the Northern Cameroons still adhered to their desire to remain part of the Northern Region, while the Southern Cameroons wished to be part of the proposed Federation of Nigeria though ceasing to be part of the Eastern Region. The detailed proposals then agreed in discussion with the Cameroons representatives and to meet their wishes were put before and endorsed by the resumed conference and are now given effect in the Nigeria (Constitution) Order in Council, 1954, which came into operation on the 1st October.

4. In accordance with the terms of that Order in Council, the Northern part of the Trust Territory remains part of the Northern Region of Nigeria while a separate Government is set up for the Southern part of the Trust Territory with extensive responsibility for the administration of its internal affairs. Specific provision has been made in the Nigeria (Offices of Governor-General and Governors) Order in Council, 1954, for continuing the office of Commissioner of the Cameroons. The Commissioner is directly responsible to the Governor-General of the Federation.

5. Her Majesty's Government retain, of course, their responsibilities to the United Nations under the Trusteeship Agreement for the affairs of both parts of the Trust Territory, and the Constitution Order in Council contains provisions that will enable Her Majesty's Government to ensure the discharge of those responsibilities, for example in sections 64 to 66 of the Order. Moreover the Royal Instructions to the

¹ See 259.

Governor-General of the Federation direct the Governor-General not to assent to any Bill the provisions of which appear to him to be inconsistent with any treaty or other international agreement, including the Trusteeship Agreement, until he has received Her Majesty's Instructions thereon. The Royal Instructions to the Governors of Regions contain a similar direction.

6. At the same time the effect of the Trusteeship Agreement is to require the Trust Territory to be administered as an integral part of Nigeria. It can be seen from what has been said in paragraphs 2 and 3 above that this requirement in no way conflicts with the freely expressed wishes of the peoples of the Cameroons themselves. Provision has therefore also been made to meet this requirement, in accordance with the wishes of the peoples concerned, in a manner designed to promote the development of free political institutions appropriate to the particular circumstances of the territory.

7. Thus, for example, the Southern Cameroons will have its own Legislature with power to legislate on the same list of matters as the Legislature of a Region, and the executive authority of the Southern Cameroons will extend to all matters on which its Legislature has power to legislate. The Southern Cameroons will also elect six members to the Federal House of Representatives, one of whom will be a member of the Federal Council of Ministers. The Northern Cameroons, I understand, will elect four members to the Federal House of Representatives. The Northern House of Chiefs at present contains one Member from the Trust Territory, besides the Lamido of Adamawa whose Emirate lies partly in the Trust Territory and partly outside it. There are three Members from the Trust Territory in the Northern House of Assembly. Under the revised constitution the composition of the Northern House of Chiefs will remain unaltered, in so far as the membership of Chiefs is concerned, but the House of Assembly is to be enlarged, and I understand that when this happens it is contemplated that it will have two representatives from the Dikwa Emirate, in the Trust Territory, and five from Adamawa as a whole. Furthermore, I am informed that a representative of the Northern Cameroons has been appointed to Ministerial office in the Northern Region Executive Council, and that a Consultative Committee is to be set up comprised of Northern Cameroons members of the Northern House of Assembly whose function will be to keep the Government of the Northern Region informed of Northern Cameroons opinion on Regional legislation.

8. Finally, in order that the purposes of the Trusteeship Agreement and of Article 76 of the United Nations Charter may be promoted in both parts of the Trust Territory, the Federal Legislature has powers under section 53(1) of the Constitution Order to make laws in relation to any Region or the Southern Cameroons for the implementation of treaties or other international agreements, including the Trusteeship Agreement; and it is provided in section 83 that the executive authority of the Federation shall extend to any matter with respect to which the Federal Legislature may legislate. In addition it is my desire that the valuable arrangement should continue whereby the Commissioner of the Cameroons attends meetings of the Trusteeship Council of the United Nations as a Special Representative for both the Northern and Southern parts of the Territory. The Government of the Northern Region will, I am confident, continue to afford all facilities necessary to the Commissioner to enable him to fulfil his responsibilities in this connexion for the Northern Cameroons, so that under your direction the progress of the Trust Territory as a whole may be kept under review.

9. I am sending a copy of this despatch to the Officer Administering the Government of the Northern Region. I have no doubt that you and he will both agree that it would be useful that the arrangements made for the administration of the Cameroons, in accordance with the peoples' wishes and Her Majesty's Government's responsibilities, should be widely known throughout the Trust Territory and indeed throughout the Federation as a whole, and I therefore suggest that this despatch might be published in the Official Gazettes of the Federation, of the Northern Region and of the Southern Cameroons.

276 CO 554/1178, no 3 14 Nov 1954
 [Federal elections]: inward telegram no 21 from Sir J Macpherson to Mr Lennox-Boyd on the implications of the possible outcome of the federal elections. *Minute* by N B J Huijsman

[The first elections to the Federal House of Representatives under the 1954 constitution took place in Nov and Dec. The results were something of a surprise, at least to the CO, with the NCNC winning a majority not only in the Eastern Region (as expected) but also in the Western Region. In the latter the NCNC won 23 out of the 42 seats, against the AG's 18, while in the East it won 32 (later augmented by three defections) out of the 42 seats, the UNIP (merged from the NIP and the UNP and allied to the AG) won four, while the AG itself won three. In the North the NPC won 79 out of the 92 seats and NEPU none, while the MZL won three and the AG one; the NPC could also count on the support of several independents. The KNC won five (later augmented by a defection) of the six Southern Cameroons seats while the AG and NCNC won one each of the two Lagos seats. The new 184 seat House of Representatives thus saw 79 NPC representatives, 62 NCNC and 22 AG. These results had implications for the composition of the Council of Ministers, for under the 1954 constitution the winning party in each region was entitled to three posts (with one for the Southern Cameroons and three *ex-officio*). The NCNC, although not the largest party in the House, were thus entitled to six ministerial posts, as against three for the NPC and none for the AG, even though the latter still controlled the Western House of Assembly. Thus early CO hopes that the elections might be followed by an AG-NPC ministerial alliance came to nothing. Indeed there were fears (see 279 and 282) that the NPC might boycott the Council of Ministers because of the NCNC victory. In the complex manoeuvring that followed the results, the Sardauna of Sokoto met Awolowo and Akintola clandestinely near Ibadan on 20 Nov to discuss future possibilities (CO 554/1178, no 20, Macpherson to Lennox-Boyd, 25 Nov 1954), while H R E Browne met Tafawa Balewa and later the Sardauna, on 29 Nov (see 279). Eventually the NPC decided to accept the results and join the Council; in Jan 1955 a new Council of Ministers was appointed with six NCNC ministers, three NPC and one from the KNC.]

My telegram No. 206.

Federal Elections.

Victory of N.C.N.C. in Western Region, combined with their success in the East, which had always been anticipated, will create difficult situation in the Federal Government and might even provoke constitutional crisis.¹

2. With the elections of Northern Region of Nigeria and Southern Cameroons still to come it is difficult to predict final composition of the House of Representatives, but with four results from the East still outstanding, N.C.N.C. have 51 seats; rumour has it the single Commoners Liberal Party member returned in the

¹ The NCNC's unexpected victory in the Western Region was due to their success in capitalising on opposition to AG tax policies (see 271) and on sentiment for a separate mid-West Region (see 255). They also polled heavily in Ibadan, Abeokuta and Oyo.

West has already declared intention of supporting N.C.N.C., and three independents returned in the East may also join the band-wagon. Assuming, which is not unlikely, N.C.N.C. win all four seats still undeclared in the East, they would have a total of 59 seats. It is not improbable that N.C.N.C. will win the two Lagos seats. On the other hand, N.C.N.C. in relation to success may scare the Cameroons, and the old fear of Ibo domination may help rather than hinder Dr. Endeley's K.N.C., but even if there were landslide in the opposite direction, and N.C.N.C.'s allies won all six Cameroons seats, the absolute maximum number of seats N.C.N.C. could now win in the South is 67, so that they or their allies would have to win 26 seats in the North in order to gain absolute margin (?majority intended) of Elected Members in the House of Representatives. At the moment this seems improbable.

3. It looks therefore as though N.C.N.C. will have majority on the Council of Ministers, three Ministers from the East and three from the West, but that they will not command majority in the House of Representatives.

4. Success of N.C.N.C. in the West has severely shaken the North and in particular, Abubakar Tafawa Balewa in whose mind fear of Southern domination by the North is always present. His immediate and personal reaction was that the North should decline to send Ministers to the centre, but should use Northern majority in the House of Representatives, which he assumes to defeat all Government proposals combining, if necessary, to this end with Action Group and provoking a constitutional crisis, out of which would emerge separate North, with nothing more than a Government agency at the centre.

5. On 13th November, I had long talk with him and Shettima Kashim, who is calmer, and urged them to do nothing hasty and, at least, to give the new set-up a trial.

6. Another faint possibility is that the N.P.C. might enter into alliance with the Action Group, the combined parties controlling a majority of seats in the House of Representatives and forming a Government. Even before the elections there were rumours that something of this nature was in the wind and the Sardauna of Sokoto has had secret meeting with Awolowo. We have had no report on what was discussed but Abubakar tells me Awolowo sought election support from Northerners living in the West. He said that merging of political parties of the North and West was unthinkable. No doubt the Sardauna will be meeting Awolowo again in Ibadan this week when he comes down for laying of foundation stone of Teaching Hospital. Even if Abubakar wrong, such a combination would be a marriage of such inconvenience that it could not last, but when the North becomes desperate, it is capable of anything.

7. I hope that it will be possible to dissuade the North from hasty or ill considered action, and to send Ministers to the Centre, but even so, situation will be far from easy. No doubt the N.C.N.C. Ministers, as in the past, will woo the North Ministers, but the latter do not trust them.

At first sight calibre of the N.C.N.C. members elected in the West does not appear high. It is too early to say which of these members will be nominated to the Council of Ministers but it is reasonable to suppose that one of them will be Kola Balogun who is trouble maker.

Minute on 276

(3) discusses very tentatively the political complications which may be caused by the Federal elections, which, whatever else may happen in the Northern Region and the

Southern Cameroons, is likely to leave the NCNC as the strongest single party in the Federal Legislature (though without an overall majority), and with six representatives on the new Council of Ministers.

2. The possibility of the NCNC winning the West was never given serious consn in Nigeria (the most optimistic pre-election est. credited the NCNC with 17 seats), and it is therefore not surprising that both the Governor General and the Northerners in the Co. of Ministers (who may not reflect NPC opinion in the North) shd be somewhat off balance as a result. To the Northerners in particular, faced as they are with the prospect that the NCNC-NEPU-MBPP alliance may win up to 20 seats (a Kaduna est.), the emergence of a strong NCNC must be most unwelcome. Hence no doubt the (what I take to be) reversion to their 1953 8-point plan.²

3. It is too early to est. what the future is likely to be in the new H. of Reps and before we can hope to disentangle the political probabilities from the first emotive reactions we must await further infmn, and in particular the appreciation promised in (2). Chief Awolowo is also supposed to be making a political pronouncement shortly; that may well affect the sitn profoundly. Thirdly, nobody really knows how the North will vote, and my own feeling is that we may yet get a very considerable surprise from that Region. In the meantime it is clearly right to counsel moderation and . . . 'wait and see'. When we embarked on a fedl constn we knew that it wld throw up a very different picture of party strengths than existed under the old constn, and that it might result in a Region repn. at the Centre differing considerably from the party alignment in the Regl legislature. What has happened in the West is paralleled in Australia and Canada and cannot be said to be novel; it is novel in Nigeria because it wasn't taken into anybody's calculation other than Zik's. . . .

N.B.J.H.
15.11.54

² See 207.

277 CO 554/1178, no 4

17 Nov 1954

[Federal elections]: outward telegram no 30 (reply) from Mr Lennox-Boyd to Sir J Macpherson on the need to reassure the North following the federal elections

Your telegram Personal No. 21.¹

Federal Elections.

I am most grateful for this early appreciation.

2. I am sure you are right to emphasize in all your discussions vital importance of new constitution being given proper trial. Everything possible must be done to make it work at least till next review due in 1956, and you and Regional Governors can rely on my full support in your efforts to this end.

3. My main concern, like yours, at the moment is about the attitude of the North. My predecessor made it abundantly clear at both the London and Lagos conferences that Her Majesty's Government would not (repeat not) let the North

¹ See 276.

down. In addition to statement about self-government published in paragraph 28 of London conference report (Cmd. 8934), Lord Chandos is on record in the London conference minutes as saying that 'Her Majesty's Government did not intend to force self-government either upon any part of Nigeria before it felt ready for it or upon Nigeria as a whole so long as any substantial part of it did not consider the time opportune'. As you will recall, he repeated these words at the Lagos conference particularly to reassure the North.

4. If you and O.A.G., North think it would help you have my full authority to remind Northern Ministers of this undertaking and to reaffirm it in my name. You may like to add that I interpret the undertaking as meaning that, even if all three Regions were to opt for Regional self-government in 1956 or soon after, there would still be no question of Her Majesty's Government granting self-government at the Centre if and so long as the North wanted the Federal Government to remain dependent.

5. I agree of course that it is vital that the North should not let themselves down by panicking or taking action which might make nonsense of the new constitution, e.g. on lines mentioned in your paragraphs 4 and 6. If they do, they will run serious risk of alienating sympathies of many people here, and will render no (repeat no) easier Her Majesty's Government's task of defending their legitimate interests and aspirations.

6. As Lord Chandos made clear in Parliament on the 10th February last in his statement about the constitutional conferences, it remains Her Majesty's Government's firm policy to preserve the unity of Nigeria in the interests of all her peoples. At this critical juncture it is more than ever necessary that all British officials in the North, and especially those in positions of authority or influence, should do all in their power to discourage separatist or secessionist tendencies among Northern Nigerians. I trust that you and O.A.G. North will impress this point on Federal and Regional officials serving in the North, who should be left in no (repeat no) doubt as to our policy.

7. Grateful if you and Regional Governors will continue to keep me informed of important developments.

278 CO 554/1030, no 2

17 Nov 1954

[Western Region]: minutes by N B J Huijsman, W A Thomson and T B Williamson on political intelligence notes concerning AG policy towards district officers

Para 15(iv) is most interesting since it suggests that what Chief Awolowo has in mind is to make the DO the field staff of the Ministry of Local Government and to use him, through attachments and secondments, as the instrument for running efficient local government. He no doubt also has in mind to break down the Administration as the Governor's and the Governor-General's instrument for ruling by means of the exercise of reserve powers, and as the channel for exercising local operational control over the Nigeria Police. I regard Chief Awolowo's minute as most important, and it should be seen by *Mr. Wallis* for his comments. I also consider that we should enquire of the Governor whether he can give us more information on it.

N.B.J.H.
17.11.54

I agree with Mr. Huijsman's comments on Chief Awolowo's minute about A.DO., and that we need to give some thought now to ensuring that in an emergency, after the implementation of Chief Awolowo's proposals, the Governor's reserve powers could be used effectively. In my view there is nothing sinister in Chief Awolowo's minute. Indeed, it is natural that he should endeavour to curtail the executive authority of the A.O. an officer who is a member of a Service not limited to the Western Region of Nigeria, and whose first loyalty must be to that Service. Chief Awolowo no doubts wants to retain A.OO, but only on terms such as those described by Mr. Huijsman.

W.A.T.
17.11.54

As regards Mr. Awolowo's minute about the functions of District Officers, we must certainly consult with Mr. Wallis before addressing the Governor. There has been recent correspondence with the Government of Kenya about the role of District Officers in that territory in relation to the Police. There, I think I am right in saying, it has been decided that conditions are such that the Police must continue to be regarded, broadly speaking, as a branch of the executive power. But a couple of years ago in the Gold Coast we agreed that District Officers there (who were then given the new name of Government Agents) should have no further specific responsibility for the maintenance of public order. This, it was agreed, should become a function of the Police—as it is in any modern democratic State. We shall have to consider very carefully what we may think is appropriate in the special circumstances of Western Nigeria, given the position of the Nigeria Police, the state of affairs in the Federation generally and the position about local government and Native Authority Police in the West.

Perhaps Mr. Huijsman would follow this up on an appropriate file.

T.B.W.
17.11.54

279 CO 554/1178, no 23 29 Nov 1954
[Federal elections]: inward telegram no 8 from H R E Browne¹ to Mr Lennox-Boyd on a meeting with Northern leaders following the federal elections

Governor-General's telegram Personal No. 26.

Federal Elections.

I saw Abubakar and Shettima Kashim this morning. They were forthcoming to an extent that I suspected intention was that I should pass on what they said. Abubakar said, most emphatically, that they would not accept a position involving six N.C.N.C. Ministers in Council of Ministers. His first hope would be to secure 86 seats in the House of Representatives, giving the N.P.C. clear majority over the other parties.

2. Abubakar said that if they failed to secure 86 seats, he would consider compromise with the N.C.N.C., giving three N.C.N.C. Ministers from Eastern Region,

¹ H R E Browne, civil secretary, Northern Region, 1952–1955.

2 from Western Region, 1 Action Group from Western Region conceded by N.C.N.C. and nominated by arrangement with N.P.C., 3 N.P.C. Ministers from Northern Region and 1 Cameroons from Cameroons/Action Group Alliance.

3. Abubakar said that if N.C.N.C. refused this compromise, N.P.C. would decline to enter Council of Ministers and would associate with Action Group solely for the purpose of voting against all Government measures in House. His fear is that, with 6 Ministers in the Council, N.C.N.C. would within one year dominate the whole country by using position in Federal Government to consolidate in Northern Region and conduct all-out campaign for 'one Nigeria' on N.C.N.C. formula. He clearly fears N.C.N.C. more than Action Group now since latter, like N.P.C., favour strong Regional autonomy whereas N.C.N.C., if flushed with success, would abandon Regional basis for present constitution in pursuit of hope of dominating all Nigeria.

4. Later I saw Sardauna, who gave categorical assurance that N.P.C. at present contemplated no alliance with any Southern party. He added that if, after the elections, possibility of any alliance appeared, no commitment would be accepted without prior consultations with Chiefs and the party. No indication at present of separatist and secessionist tendencies, indeed, strongest contrary evidence provided by totally unexpected announcement to me today that Abubakar would stand for return to the Federal House.

5. My assessment is:—

- (1) N.P.C.'s original panic has now given way to tougher attitude involving bid for control of Federal Government;
- (2) no alliances contracted or contemplated, but possibility may recur after the Northern elections;
- (3) no advantage at this stage in giving advice on how to behave in the various circumstances which might arise from the final result of the elections.

6. I have re-emphasised the necessity for avoiding hasty decisions.

7. Grateful you show this telegram to Sharwood-Smith.

280 CO 554/850, nos 1 & 2

2 Dec 1954

'Factors affecting the successful working of the constitution': minute by N B J Huijsman to T B Williamson submitting an appreciation

We spoke the other day about the possibility of an early breakdown, for one reason or another, in the new Constitution. I have done some thinking on this subject and consider that it might be helpful if I put down on paper some of the factors which might influence the situation, and some of the considerations which we should bear in mind if it should become necessary to look at the Constitution again in the near future. I have therefore started preparing two appreciations; one on the prospect before us when the Federal elections are over, and a second on the kind of lines along which it might be useful to think if it should become necessary to rehash the Constitution. The first of the appreciations is attached to this minute. The second one requires a good deal more thought and I may not have it ready for a little while.

2. You will note that I have in the attached appreciation concentrated on what I think are the more obvious and reasonable consons. Past experience of Nigeria may

suggest that this approach is rather naive. Actually, I have done this deliberately in order to indicate, as I hope I have, that left to itself the Constitution is likely to survive the present panic, and that the real danger to it lies in irrelevant party manoeuvres inspired by personal antagonisms. If we get past the present panic period we should, I think, have taken a big step forward politically, for as far as I can see the personalities in the Council of Ministers are likely to have the experience and general will to co-operate, and six months of such co-operation may do a lot to exorcise a few of the NCNC/NEPU demons terrorising the Northerners. If that is achieved it may become possible to isolate the Action Group when the time does come to discuss secession.

3. A further point which I do not deal with is ?where do we go from here if there is a deadlock between Legislature and Ministers, or if NPC and NCNC Ministers cannot co-operate. My own view is that the first action must be a dissolution (gaining two to three months) and a review of the Governor-General's Royal Instructions, (for it is in these and not in the constitution itself that the present element of political rigidity is to be found). Only if this fails to improve the atmosphere would the more drastic alternative of yet another review (by which time I hope Appreciation No. 2 may be ready!) arise for consideration.

4. In the meantime you may care to glance over the bit of amateur crystal-gazing opposite. I have deliberately undertoned the appreciation; we both, however, I think accept that the situation is extremely tricky at present and might well become very serious at short notice if the NPC panic or try to play politics.

Appreciation with 280

There is a certain amount of emotive speculation in Nigeria as to the prospect before the House of Representative after the Federal elections are over. The following paragraphs attempt to assess what may happen. They are based on the presently available information and estimates of the situation—which are necessarily incomplete—and may be falsified by the end of January, 1955. (For instance the Action Group hope to unseat three N.C.N.C. Members in the West, which would give them a bare majority over their oponents and, presumably, the right to nominate three Ministers to the Federal Council of Ministers).

Object

2. To examine the likely political developments once the Federal elections are over and whether they need necessarily be fatal to the new Constitution.

Party representation at Lagos

3. The present state of the new Federal House of Representative is:—

N.C.N.C. and allies (54 plus 3 Independents)	57
Action Group and allies (21 plus 4 U.N.I.P.)	25
Nigerian Commoners Liberal Party	1
Independents	1 (now reported to support the N.C.N.C.)

More than half (100) the seats remain to be contested, 92 being in the North. The most authoritative forecast available suggests the following results:—

N.C.N.C. and allies (20 N.E.P.U. and M.B.P.P.)	23–
Action Group and allies (K.N.C.)	5
N.P.C. and allies (10 M.Z.L.)	70+
Igbirra Tribal Union (pro N.C.N.C.)	2

This, on the assumption that none of the present and pending election petitions succeeds, would give the following distribution of seats when the House of Representatives meet:—

N.C.N.C. and allies (56 genuine N.C.N.C.)	80–
N.P.C. and allies (60 genuine N.P.C.)	70+
Action Group and allies (21 genuine Action Group)	30
Others (inclined to support N.C.N.C.)	4

(The latest press reports suggest that the N.P.C. and its allies may get more than 70 seats, at the expense of the Northern allies of the N.C.N.C.).

It is to be noted that each party has, in addition to its core of more or less disciplined supporters, a 'fringe' of allies whose association with the parent party is more probably cemented by cash and patronage than by ideological affinity. On present form it looks as if the N.C.N.C. will be entitled to nominate six Ministers to the Federal Council of Ministers, the N.P.C. three, and the K.N.C. one, i.e. the Council of Ministers will be an enforced grouping of radical supporters of a unitary state, and conservative supporters of extreme federalism.

4. So long as the *ex officio* Members of the Council of Ministers remain neutral, the N.C.N.C. could be in a position to call the tune in the Council, depending on party grouping in the House of Representatives. In the House of Representatives no party grouping is likely to be strong enough to dominate the House, but any two of the major party groups combined can out-vote the third. On present form it looks as if the N.P.C. and Action Group may possibly combine against the N.C.N.C. and its allies in an effort to exclude the NCNC from the Council of Ministers and to dominate the House of Representatives. It is doubtful whether the former would be possible short of a merger of the Action Group and N.P.C., in which case these parties may be content to control the House. There is therefore some possibility of an anti-N.C.N.C. majority in the House endeavouring to frustrate the policy of a Council of Ministers with a majority of N.C.N.C. Ministers. On the other hand it seems unlikely that the N.P.C. and Action Group will vote solidly all the time against all the measures put forward by Ministers (particularly where the portfolios held by the Northerners of measures involving communications and transport are involved) or that the N.C.N.C. will not endeavour to split the coalition by temporarily following a policy favouring

N.P.C. as opposed to Action Group interests. It is therefore possible that, provided the N.C.N.C. group in the House follows its leaders, the Council of Ministers could ensure a constant but shifting majority on most individual matters. To what extent this will work will depend upon personalities in the Council of Ministers, and the immediate political objectives of the major parties.

Ministers and parliamentary leaders

5. The Nigerians in the Federal Council of Ministers look like being the following:—

- N.C.N.C. – K.O. Mbadiwe
R.A. Njoku
T. Mbu
Chief F.S. Okotie-Eboh
Chief H.O. Davies
K. Balogun
- N.P.C. – Abubakar Tafawa Balewa
Mohammadu Ribadu
Inuwa Wada
- K.N.C. – Some nonentity

Of these Ministers five would have served in the old Council of Ministers and should be used to co-operating with each other. Chief Okotie-Eboh is a reasonable and intelligent person and should be anxious to shine as a sensible Minister. This leaves Kola Balogun, Inuwa Wada and the K.N.C. nominee as the unknown quantities. Of these Balogun is recognised as a trouble maker, and H.O. Davies, who fancies himself in the role of elder statesman, is inclined to 'shoot his mouth'.

6. It seems premature therefore to assume that personalities will necessarily cause a breakdown of the new Council of Ministers. Left to themselves Ministers should be able to co-operate sensibly, possibly with Balogun as a sort of Bode Thomas (Very) Minor. Trouble seems rather more likely to arise out of relations between the Council and the Federal House of Representatives.

7. Who are likely to be the party leaders in the House? Probably the following personalities:—

- N.C.N.C. – L.P. Ojukwu
K.O. Mbadiwe
K. Balogun
- N.P.C. – Abubakar Tafawa Balewa and
Inuwa Wada
- Action Group – Chief S. L. Akintola and
R.A. Fani-Kayode
- N.E.P.U. – Aminu Kano (if he is elected, which
seems unlikely)¹
- U.N.I.P. – Jaja Wachuku
Dr. Udoma
- K.N.C. – Some nonentity

¹ Aminu Kano was not elected to the House of Representatives until 1959.

The leaders of the major party groups sit in the Council of Ministers and this suggests that the Council should be able generally to engineer a majority in favour of its policy. Little reliance can at any time be placed by the Council of Ministers on the Action Group and N.E.P.U. contingents. The foregoing assumes that the Federal parties will be left to work out their problems unhampered by dictation from outside. What are the chances of that?

The policies of the main party leaders

8. The major weakness of the Federal House of Representatives is likely to be that the real party leaders will not be in it and will in fact be mainly concerned with the conduct of Regional governments. At this stage it is too much to expect these leaders to allow their supporters in the Federal House a free hand. The party group in the House is bound to receive directives prescribing action of one sort or another in the assumed interest of the parties, as judged, however, from the Regional capitals. This is likely to be particularly true of the N.C.N.C. and the Action Group. The extent to which these directives may hamper the working of government at the centre will probably depend on the immediate objectives of Zik, the Sardauna and Awolowo.

N.C.N.C. objectives

9. The N.C.N.C. will probably aim at the following:—

- (a) By hook or by crook to force a dissolution of the Western Regional Legislature;
- (b) To discredit the Action Group in every possible way, preferably by branding it as a secessionist group;
- (c) To keep the North neutral until objective (a) is achieved.

If this estimate is accurate it can be assumed that the N.C.N.C. will probably try not to give N.P.C. serious cause for offence; i.e. N.C.N.C./N.P.C. relations in the Council of Ministers might well become fairly amicable despite persistent N.P.C. suspicions as to long-term N.C.N.C. intentions, and there should be no overt attacks on the Northerners in the House of Representatives by the N.C.N.C. proper—such attacks being left to the N.E.P.U. and M.B.P.P. contingents. On the other hand it is likely that everything would be done to manoeuvre the Action Group into provoking a crisis in relations between Federal and Western Regional Government in order to justify dissolution of the Western Legislature. If such an opportunity should offer itself it can be assumed that Zik would ruthlessly take advantage of it, without any regard for propriety or anybody's susceptibilities. In other words, in 'dishing the Action Group' he may be quite prepared to dish the Constitution, provided that he can plausibly claim that it is really somebody else's fault.

N.P.C. objectives

10. The probable N.P.C. objectives are quite clear—to avoid domination by Southerners and to press on with modernising the Northern Region as fast as possible. The principal weaknesses of the N.P.C. are its negative and defensive outlook, and the political inexperience of its leaders, which also leads them to confuse intrigue with parliamentary ability. It may be expected that the N.P.C. Ministers will be reticent, suspicious of both Zik and Awolowo, easily scared and almost as easily stampeded into upsetting the Constitution if this looked like proving an easy way out of (to them) insoluble political difficulties. It is doubtful however,

especially if N.E.P.U. do not do well in the elections, and their immediate fears are calmed, that the N.P.C. would take the first steps in breaking the Constitution. The N.P.C. may be expected to react violently to anything Zik does which threatens Northern autonomy, and possibly, if the reconciliation with the Action Group goes far enough, they may, through political greenness be prepared to support the extreme separatist policy of the Action Group and so encourage the latter to precipitate a crisis, or to allow themselves to be manoeuvred into the position of permanent opposition to every Government measure.

Action Group objectives

11. These appear to be simple—avoidance of a Regional dissolution at all costs for the present, unrelenting opposition to the N.C.N.C. in the Federal House, and furtherance of Western secession in every possible way. The past tactical blunders of the Action Group do not appear to have increased their finesse in any way, so there is a real danger that in their blind opposition to the N.C.N.C. they may resort to purely tactical moves without any thought for the consequences, and so endanger the Constitution. Not that the Action Group are likely to be perturbed by such a development—it would only give them a further opportunity for claiming ‘complete secession of Western Region here and now’ and to pursue their territorial claims against the Northern Region. The Action Group are most likely to be the most serious danger to the Constitution, particularly if they can bamboozle the N.P.C. into an alliance, but by themselves their parliamentary group in the Federal House would be too small to exercise a decisive influence. At present there is of course the threat of Regional dissolution as a potentially effective curb on their activities—but with the passage of time that threat may lose its terrors. On the other hand the Action Group may also be expected to overplay their hand and so antagonise the N.P.C., which would weaken their influence.

12. The main dangers appear therefore to be:—

- (a) an alliance between an Action Group determined to secede and an N.P.C. which is separatist in sentiment and politically inexperienced; and
- (b) the N.C.N.C. taking advantage of some tactical opening to ‘dish the Action Group’ and wrecking the Constitution in the process.

(a) could be prevented by persuading the N.P.C. of the folly of allying themselves with a basically anti-Northern party whose policy is determined by selfish motives. The Governor, Northern Region, will have to be relied on to do this. (b) is something against which there is no real protection. The most that can be done is to look at the immediate aims and issues on which the N.C.N.C. could provoke an explosion and to try, as far as possible, not to allocate the portfolios within which they fall to N.C.N.C. Ministers. The major contentious issues appear to be:—

- (a) the general issue of the exercise of concurrent legislative powers (e.g. in respect of wages, public order, and higher education); and,
- (b) the allocation of revenue.

13. The second appears to be the crucial issue. The attitude of the N.P.C. and Action Group will naturally be to resist as far as possible the exercise of the concurrent power of legislation by the Federal Government, particularly where it is likely to enhance or entrench Federal authority. It is doubtful whether the N.C.N.C. would try

to force the pace on this issue except in cases where it does so in agreement with the N.P.C. (which it might on the question of say, establishing a federally financed University College in the East, a move not unattractive to the N.P.C., who would also like to foster the policy of regionalising higher education). On the question of revenue allocation however, Eastern Ministers and the N.C.N.C. may be expected to pursue the line of revising Sir Louis Chick's recommendations in favour of the East. This is essential to the N.C.N.C. if they are not to be faced with the prospect of increased Regional taxation in 1956. How they will go about this revision is not clear but they may well decide to leave the North's share of Federal revenue severely alone and concentrate on a more equal (as opposed to equitable) division between East and West. If this estimate of the situation is correct, trouble may well start during the 1955 Budget Session of the House of Representatives, i.e. in March 1955, and possibly even during the preceding meetings of the new Council of Ministers.

14. How serious this danger is one cannot tell, but there are some pointers. On present financial form the Eastern Region should not run into financial difficulties before 1956. Consequently they may not press too hard at Lagos and provided the Federal Financial Secretary shows hitherto unsuspected suppleness of mind and parliamentary ability, it should be possible to steer the House of Representatives through its first Budget Session and to gain a respite on this most serious issue for about a year, when, with another constitutional revision in the offing, we may expect the revenue allocation battle to be joined in earnest.

Conclusion

15. The general conclusions to be drawn seem to be:—

- (a) The probable composition of the new Council of Ministers does not suggest that a clash of personalities at the Ministerial level should be a primary cause of a constitutional breakdown;
- (b) The Council of Ministers, if it works on the principle of agreement rather than majority rule, should generally be able to command a majority in the Federal House;
- (c) Provided the N.P.C. can be dissuaded from tying their fortunes to the Action Group apron strings it should be possible to prevent a permanent 'ganging up' in the House of Representatives against the Council of Ministers;
- (d) The N.C.N.C. are at present more likely to be interested in dishing the Action Group than in wrecking the constitution, but they would probably not hesitate to do the latter if they could thereby achieve the former; and
- (e) The most likely occasion on which this could happen would be during the 1955 Budget Session, but if this Session could be got through without a crisis it might well be that Federal Government could survive without much difficulty until the following year.

The foregoing leaves out of account the unexpected—which generally occurs in Nigeria. Nevertheless, it does seem that, so far as the more obvious threats to the constitution are concerned, these are not so many or so serious as might have been expected, and could be circumvented by the exercise of skill and patience. Provided that could be achieved the opportunities for provoking a crisis at the federal level could be restricted and, one hopes, the party battle transferred to a more suitable arena—the Regions.

281 CO 554/840, no 75 [Dec 1954]
 [Anglo–French ministerial discussions]: CO brief on the exchange of
 information on political questions

The French can be told that there has been no change in our policy since the last Ministerial discussions, and indeed that no change is contemplated.¹ That policy was summed up in a statement made in Parliament by Mr. Lyttelton on the 14th November, 1951, in the following words:—

‘First, we all aim at helping the Colonial territories to attain self-government within the British Commonwealth. To that end we are seeking as rapidly as possible to build up in each territory the institutions which its circumstances require. Second, we are all determined to pursue the economic and social development of the colonial territories so that it keeps pace with their political development’.

The French may well attempt, as they did two years ago, to persuade us to agree that we should consult them before making further constitutional changes. In whatever form this proposal may be put, it must again be resisted. We cannot go beyond promising to continue our present practice of keeping them closely and regularly in touch with political and constitutional developments, e.g. by way of our regular monthly Political Intelligence Summaries and through the Liaison Officer channel, and of giving them advance notice whenever practicable of intended changes. (We do not consult even independent members of the Commonwealth about such changes; and clearly we could enter into no commitments which would inevitably result in our policy being, to some extent anyway, subject to delays and pressures from the French).

A point to be borne in mind throughout the discussions is that in British West Africa generally—and this applies with special force in the case of the Gold Coast and of the Federal and Regional Governments in Nigeria—responsibility for policy and administration has passed very largely into the hands of elected Ministers. The Secretary of State remains, of course, ultimately responsible to Parliament for ‘good government’, but direct intervention in local affairs is rarely if ever resorted to (except of course where Her Majesty’s Government’s help or advice is invited). It would therefore be inconsistent with the present constitutional position for Her Majesty’s Government to agree, at metropolitan level, that certain things will be done in, e.g., the Gold Coast or Nigeria which the French would quite like to see done. Generally speaking we cannot go beyond saying that we will bring, in appropriate cases, any such matters to the attention of the Government concerned, with such commendation as Her Majesty’s Government might consider right.

Nigeria

The new constitution came into operation on the 1st October. The French will be aware of the details from the White Papers containing the reports on the London and Lagos conferences, with which they were supplied immediately on publication.

¹ See 327. A number of Anglo–French meetings, at both ministerial and official level, were held during the early-mid 1950s to discuss colonial policy in Africa, BDEEP series A, vol 3, D Goldsworthy, ed, *The Conservative government and the end of empire, 1951–1957*, part I, 115–124.

If the Secretary of State is invited to offer a general commentary on the new constitution, he might speak on the lines of Mr. Lyttelton's statement in Parliament of last February. A copy is attached at Annex A.²

The next step is the holding of Federal elections to elect a new House of Representatives. These are already beginning and are unlikely to be complete until December. The new House may be expected to meet early in the New Year. Present indications are that it is unlikely that any one party will gain an overall majority. If however that were to happen, the question of creating the office of Prime Minister at the Centre would arise. Mr. Lyttelton informed the Lagos conference in confidence that he did not think Her Majesty's Government would find any insuperable difficulty about creating this office should circumstances seem to render it advisable. (There is no provision for it in the present constitution, although the offices of Premier have been created in each Region).

If the French ask what is likely to happen after the 1956 review of the constitution, we should say that anything beyond the statement in the London conference report can only be speculative at this stage, particularly until the results of the Federal elections are known. The relevant passage in that report reads thus:—

'The Secretary of State for the Colonies informed the Conference that Her Majesty's Government were not prepared to fix a definite date for self-government for Nigeria as a whole, the more so as the Northern delegation, representing over half the population of Nigeria, was unable to depart from its policy of self-government as soon as practicable. The Conference eventually accepted a declaration of policy that in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible.'

If, but only if, pressed to say more it could be explained that at present it seems probable that the East and West will elect to take Regional self-government in 1956, but that the North may not. If however for reasons of pride the North felt obliged to 'keep up with the Jones's' and to have Regional self-government too, it is likely that they would insist on the *Federal* Government remaining dependent for a further period as a condition of the North's remaining within the Federation. (The Southern Cameroons are also unlikely to want, or be able to support, self-government for a good many years yet—and that quite apart from the views of the United Nations on the matter). The Secretary of State will wish to have in mind, though probably *not* to say to the French, that a stand of this kind in support of the North would undoubtedly create difficulties with the East and West, and would need careful and firm handling at the 1956 conference. At the London conference last year Mr. Lyttelton said that 'Her Majesty's Government did not intend to force self-government either upon any part of Nigeria before it felt ready for it or upon Nigeria as a whole so long as any substantial part of it did not consider the time opportune'; and he repeated these words, particularly to reassure the North, at the Lagos conference.

² Not printed.

282 CO 554/1178, no 25 3 Dec 1954
 [Federal elections]: minute by Sir T Lloyd on the desirability of
 warning NPC leaders to avoid a breakdown of the new federal
 government

Secretary of State

Partly as a result of discussion with Sir Bryan Sharwood-Smith, we think it desirable to suggest to the O.A.G. of Northern Nigeria the desirability of warning the leaders of N.P.C. about the dangers of action which would saddle them with responsibility for a breakdown of the new Federal Government of Nigeria.

That is the purpose of the attached draft telegram, the general lines of which were agreed with Sir Bryan Sharwood-Smith.

This advice ought to reach Kaduna fairly soon, and I am therefore submitting the draft (together with a copy of the telegram which it would answer) without the file which is in action in connection with other enquiries from Sir John Macpherson about the composition etc. of the Federal Council of Ministers.¹

¹ J B Johnston minuted, 3 Dec, 'The S of S agrees'.

283 CO 554/1178, no 29 14 Dec 1954
 [Federal elections]: outward savingram no 15 from Mr Lennox-Boyd
 to OAGN on appointments to the new Council of Ministers

Your telegrams Personal Nos. 26 and 32 and my telegram Personal No. 45 (not repeated to Regions).

Federal Elections.

My Legal Advisers and I agree with the view expressed by your Attorney-General in paragraph 5 of your telegram Personal No. 26, that a mere coalition or alliance of parties would not amount to a 'party' within the meaning of Clause 6 of your Instructions, and that the term 'party' in Clause 6 means a single political organisation with a separate and distinguishable identity.

2. The wording of Clause 6, which was adopted on the recommendation of the Constitution Conference (see pages 172 and 173 of Colonial Office print African No. 1182, paragraph 15 of Cmd. 8934, and Annex II paragraph 110 of Cmd. 9059), establishes a principle for the appointment of Ministers which is different from that obtaining in this country. Here The Queen would normally invite a Member of the House of Commons assured of the support of a majority of Members to form Her Majesty's Government, even if his support were based on a coalition of several distinct parties. I am advised however that in construing Clause 6(1) (a) of your Instructions you would have to decide first, whether there were a single party with a majority in the House of Representatives over all other parties; and secondly, whether this party appeared to you to have a definite leader on whom you could call to recommend the names of Ministers to you. In other words you would have to be able to identify a Member who was the acknowledged leader of a single party with a majority over all other parties.

3. It would be impracticable to lay down hard and fast rules for determining what is and what is not a political party. Whether any particular political grouping constitutes a party in the generally accepted sense of the term will be a matter for your own judgment in the light of the prevailing circumstances.

4. I doubt however whether in your discussions with the party leaders it would be desirable, as your Attorney-General suggests, for you to go so far as to make it a requirement that formal evidence in support of their claims or information on the organisation and constitution of particular parties should be furnished to you. To do so might possibly have the effect of fettering your discretion unnecessarily and might not supplement information available to you from other sources. Furthermore it might place you in the embarrassing position of having to defend your assessment of the reliability of information or adjudicate between rival claims.

5. I agree that you will wish to a certain extent at any rate to be guided by definite criteria, and my Legal Advisers agree with your Attorney-General's view as expressed in the penultimate sentence of your paragraph 5. At the same time you will, against the legal background of the Constitution Order in Council and your Royal Instructions, be making a political decision; and in making that decision I think you should feel free to pay due regard both to your opinion of the genuineness and durability of any new combination which purports to be a new party and to the extent to which any alternative courses of action which may be open to you are likely to command a reasonable measure of general consent and to avoid the creation in one quarter or another of feelings of injustice and bitterness.

6. I have also received your telegram Personal No. 32. I am advised that, since Section 88 of the Constitution Order in Council contemplates a Council of Ministers including ten Ministers, it is your duty to fill any Ministerial vacancies as soon as is reasonably practicable. The fact that some or all of the Ministerial seats are vacant does not however preclude the Council from carrying on business, in view of the terms of Section 95 of the Order in Council, though of course the provisions of Section 96(2) would have to be borne in mind.

7. From this it follows that if, under the circumstances envisaged in Clause 6(1)(b) of your Instructions, you were unable to make all ten Ministerial appointments in accordance with these Instructions, it would not be necessary for you to make the outstanding appointments to enable the Council to function. Your duty to try to appoint all ten Ministers would however remain and if you could not do this in accordance with your existing Instructions it would be advisable for you to report to me and to seek fresh Instructions. Here again you might be faced with a choice of courses. You might decide either to make what Ministerial appointments you could in accordance with Clause 6 (1) (b) of your Royal Instructions before reporting back to me, or, depending on your estimate of the situation, you might refrain from making any appointments before reporting, because you might otherwise completely prejudice the filling of all ten seats. In any case it would be desirable not to ask for further formal Instructions until you had formed a definite assessment of the situation.

8. In these circumstances I would almost certainly recommend that you should immediately be sent further Royal Instructions (which could, in an emergency, be sent by despatch or telegram, in the form of Her Majesty's instructions through a Secretary of State as opposed to instructions under the Royal Sign Manual and Signet) to fill, according to your discretion, any vacancies that you were on this

occasion unable to fill in accordance with Clause 6(1)(b) of your present Royal Instructions.

9. I am afraid that the guidance in paragraphs 1 to 5 is not and cannot be clear-cut; if you are faced with the possibility of having to act under Clause 6(1)(a) of your Instructions you will in fact be faced with more of a political than a legal problem. In this connection it will of course have to rest with you to decide when it would be desirable, if at all, to notify those political leaders who may be affected by your ruling as to what constitutes a *bona fide* party. If, however, you are likely to be faced with the kind of situation described in your telegram Personal No. 32, then I hope that paragraphs 6 to 8 may be of help to you.

10. The foregoing relates to possible amendments of or additions to Clause 6(1)(b) only. To amend Clause 6(1)(a) by requiring the Governor-General to act on the recommendation of the person who is in the opinion of the Governor-General able to command the support of a majority of the Members of the House of Representatives, would appear to be a departure from what was expressly agreed at the London and Lagos conferences. Such an amendment at this juncture designed to enable the N.P.C. in alliance with the Action Group (an alliance which, as you have said in your telegram Personal No. 21, could be only a marriage of such inconvenience that it could not last) to keep the N.C.N.C. out of office after the latter's victories at the polls would seem to me to be:—

- (a) wrong in principle, i.e. so long as the coalition were not a genuine one (see paragraph 12 below); and
- (b) likely to alienate the N.C.N.C., possibly irretrievably.

11. While therefore I would not wish to rule out completely at this stage an amendment of Clause 6(1)(a) to provide for a coalition of parties, or even for the appointment by you in your absolute discretion of ten Ministers on the basis only of Section 88(c) of the Constitution Order, if that eventually seemed to offer the only prospect of carrying on government by consent, I suggest that recourse to this should be had, if at all, only in the last resort; and that until then your discussions, planning, and eventual 'cabinet-making' should proceed on the assumption that Clause 6(1)(a) will not (repeat not) be altered.

12. I am strengthened in this view because, judging by the record of your talks on the 26th and 30th November with Abubakar enclosed with Grey's secret and personal letter of 1st December to Williamson, the N.P.C.'s fears of Ibo domination seem to be groundless so long anyway as the North do not want self-government for themselves or for the Federation. If they make these fears a sticking point at this stage, they may well play into their opponents' hands. Moreover it seems to me that the issues which divide the N.P.C. from the Action Group (attainment of self-government, Lagos, Regional boundaries, Northern suspicion of the Yoruba, etc.) are certainly no less fundamental than the matter on which they are considering an alliance, i.e., fear of the Ibos and their desire for a unitary Government, and that an alliance or coalition formed in those circumstances could be neither real nor long-lived.¹

13. If and when you do require further Royal Instructions it would assist me if you could furnish me at the time with a draft of the substantive provisions for consideration.

¹ On 3 Jan 1955 Tafawa Balewa informed Macpherson of the NPC's willingness to accept the election results and recommend three names for appointment to the Council of Ministers.

284 CO 554/1008, no 31

17 Dec 1954

[Public service]: letter from R F A Grey to A R Thomas on the consideration by the Council of Ministers of a compensation scheme for overseas officers¹

I had hoped before this to be able to reply to your Secret and Personal telegram No. 37 to Hugo Marshall about eligibility of future overseas officers for lump sum compensation and to be able to say that we had the authority of the Council of Ministers that those officers would be eligible. Unfortunately, although we have had two long and good-humoured, but very tough battles in Council, we have not yet won through.

We took it to Council on the 7th of this month and, knowing that the complications of the matter as between the Federal Government's responsibility to its officers and the Regional Governments' responsibility to their officers were not understood by the Ministers, I tried to get it clear in their minds that they were required to deal only with the Federal aspect, and that a decision on this could and should be taken quite independently of the decisions reached by the Regional Governments. A lot of time was therefore spent in explaining the background and it was quickly apparent that the Ministers from the Eastern Region were opposed to making future overseas officers eligible, not only because they thought that that would be against the party line, but also because they did not really understand what it was we were asking them. We had got some way to clearing up this aspect of it when a further source of trouble arose because Raymond Njoku² had not been at the Conference on the Constitution and did not understand the reasons why equity and justice required the introduction of any special arrangements for overseas officers on the attainment of self-government either by a Region or by the Federation. This meant another long exposition and a lot of argument and I think that we made some progress. All our deliberations at present suffer from the fact that it is quite impossible to distract all the Ministers from their electioneering preoccupations at any one time, and at this meeting we had only Abubakar to represent the North and to urge the principle that future overseas officers should be eligible. Any sort of a unanimous decision was impossible and after a very long discussion H.E. deferred the matter for a further meeting.

We met again on the 14th. This time the Eastern Ministers were all there, but again the North was represented only by Abubakar and this time we had Awosika,³ who had not been present on the former occasion. He had not been at the Conference and he did not understand the reason for any special arrangements for overseas officers on the introduction of self-government. Again we battled away for several hours. This time I think that we really got the East, and certainly Mbadiwe (little Mbu⁴ was obviously thinking more of Christmas than of lump sum compensation), to understand the course of events, the reason why the Federation is in a position different from that of the Regions and the equity of a lump sum compensation

¹ See 260.

² R A Njoku, minister of commerce and industry, 1954–1955.

³ F O Awosika, member of the AG executive, Western Region minister of finance. acting central minister of works, 1954.

⁴ M Mbu, minister of labour, 1954–1955.

scheme as well as the hard practical fact that we shall not get officers unless they are eligible. One argument by the Ministers, in which they genuinely believe, was that the political leaders had been very ill-advised at the Conference to make the 'concession' of lump sum compensation and had been justifiably criticised for it in the press and elsewhere. We took them back to London and explained to them that the Secretary of State had put squarely to the Conference the fact that Regional self-government would almost certainly entail such alterations in the conditions of the Regional Public Service that Her Majesty's Government, as a condition of agreeing, would have to stipulate that suitable arrangements be made for them to retire with adequate compensation if they preferred that to continuing to serve the Regional Governments. We had to steer a fairly difficult course between rebutting the suggestion that the political leaders had foolishly given away anything unnecessarily and stressing that this had been a matter over which H.M.G. were able to dictate terms.

Although considerable progress was made, it was obvious that we were not going to get a favourable decision straight out. We therefore suggested, as a solution to the difficulty, that the Council should do no more than declare that officers joining the Federal Service between 1st October, 1954, and a date related to the next Conference, say, 31st August, 1956, should be treated in the same way as those who were in the Service before 30th September, 1954. Awosika obviously had genuine doubts about what was the proper thing to do and wanted more time to think about it and work a solution out for himself. I should doubt whether he was playing for time merely in order to learn the party line. Mbadiwe very nearly brought himself to the point of inducing Njoku and Mbu to agree with the compromise, but was patently impressed with the need not to depart from the approved party line without having first explained to his party colleagues why he proposed to do so and, doubtless, to see just how suicidal it would be to disagree with them.

To have pressed the matter to a decision could only have resulted in an unfavourable solution. H.E. therefore agreed to defer the matter once again and we are to discuss it at a meeting specially called for the purpose on 29th December. I think that unless anything unfortunate happens, Mbadiwe will think that this is sufficiently close to the dissolution of the present membership of the Council of Ministers and its reconstitution for a decision in favour of eligibility to be lost in the general confusion of the time and not held up against him by enemies inside and outside his own party. We can, therefore, only wait and hope for the best on 29th December.⁵

Needless to say, we have throughout stressed the grave consequences that will flow from a decision not to make future overseas officers eligible. Our Federal staff situation is truly desperate and I shall be writing to you on this subject separately. We have stressed this for all we are worth and, in their hearts, the Ministers know it, but there is no doubt this compensation matter, already sufficiently complicated in itself, has had all sorts of extraneous things wrongly added to it by the local politicians and has become a bogey. We have not raised the argument about responsibility for manning services in the Trust territory. It would not have availed us against the particular arguments we had to meet.

⁵ The compensation scheme was subsequently agreed by the Council of Ministers in early 1955.

285 CO 554/1030, no 15

19 Jan 1955

[Public service]: despatch no 2 from Sir J Rankine to Mr Lennox-Boyd on the issue of the control of the police and of local administration**[Extract]**

. . . 15. The relationship between the Action Group and Nigeria Police is causing some concern. This is to some extent bound up with the question of attacks on civil servants in the press. Shortly after my arrival I had cause to take up with the Premier a vicious and quite unjustified attack made on the Secretary of the Public Service Commission in the 'Daily Service', one of the Action Group's organs. As a result, I believe that the Premier has now called off all attacks on civil servants, at any rate for the time being. But for a long time previously the Police had been the victim of attack, and I am afraid that these attacks may have had an effect and that as a result the Police may not always be completely impartial. The Party is certainly very hostile to the Police, and I have no doubt that they are determined to replace the Nigeria Police by a force which they can control. A short time ago the Minister of Home Affairs, whose portfolio includes local government police matters, proposed that he should have an officer on his staff, to be appointed by the Minister, to advise and assist him in promoting the efficiency of local government police forces. This is a highly desirable object but when it was discussed in Executive Council it became clear that the real intention behind the proposal was to expand and amalgamate the local government forces into one Regional force, to be commanded by this officer, which would rival and ultimately replace the Nigeria Police. I drew attention to the danger of having two rival forces operating in the same area and pointed out that according to the Local Government Law it was already the duty of the Commissioner of Police to advise the Minister on local government police matters. In the end I had to state frankly that the proposal appeared to me to be contrary to the spirit of the decision taken at the Constitutional Conferences. The Ministers were adamant and finally, in order to avoid an adverse decision being taken, I succeeded in getting the question deferred for further discussions with the Commissioner of Police. I am glad to say that it has since been agreed that the Commissioner of Police should have on his staff an officer of rank and status equivalent to that of a Deputy Commissioner, seconded from the Nigeria Police to the service of the Region, in order to assist the Minister in improving the efficiency of local government forces. This officer will be under the control of the Commissioner of Police and will have an office both at Police Headquarters and in the Ministry. This is a reasonable compromise in the circumstances but I am afraid we have not by any means seen the last of an attempt to replace the Nigeria Police by a force under ministerial control.¹

16. Another question which has caused anxiety is the future of the Provincial Administration. This was one of the first questions which the Premier raised with me. He wished to transfer all the present duties of the Administration, with the

¹CO concern at the growth of local authority police forces, which undermined the decision of the London constitutional conference that policing should remain a Federal responsibility, developed from August 1954. In particular, during 1955 and 1956 pressure grew from the Western Region government that the NPF should be regionalised; the CO concern was that this was partly motivated by the fact that a large percentage of the NPF in the West was of Igbo origin and that regionalisation would lead to political interference in policing matters.

exception of that of helping and advising local government authorities, to departmental officers, and to withdraw administrative officers from divisions to provincial headquarters and make them only local government inspectors under the new Local Government Law. The effect of this would be to place the Administration completely under the control of the Minister for Local Government, since he appoints local government inspectors and by cancelling such appointments could deprive administrative officers of any duties and responsibilities. In conversation with the Premier it was clear that the Party was determined to abolish the Administration. I believe they realise its value but want to get rid of it for two reasons. They suspect that some administrative officers are reactionary, have not fully accepted the present constitutional position, and are endeavouring to 'protect' the ordinary African from the politician. They recognise that the large bulk of the African peasantry still relies on the district officer for most of what he requires from the Government. This places great power in the hands of district officers which they resent and covet. The Premier asked me to call a conference of Resident to discuss his proposals. Since I could not avoid such a conference it seemed to me essential to try and retain the initiative. I therefore circulated a paper of my own suggesting that it was vital to retain the Administration as the main executive agency of the government in the field, but that in order to meet modern conditions it required some modification in function and emphasis.

17. Once again, I am glad to say we reached what seems to me to be a reasonable compromise in the circumstances but I am afraid we have not seen the last of the Premier's proposal. As I have said, I believe that the more intelligent and responsible Members of the Party recognise the value of the Administration. The essential thing now is to convince the Ministers and Party leaders that the Administration have accepted the present constitutional arrangements and have assumed the well known role of the British civil service, that is to serve the government in power quite impartially, loyally and efficiently. Once we succeed in doing this I hope that they will be amongst the first to wish to retain the Administration. It is a part of the responsibility which we have assumed, the modern version of the white man's burden, to take the initiative in this, and to this end I have addressed a personal letter to all Administrative officers (which can be seen by Ministers) in which I have tried to set out what I believe to be their role in the present circumstances and have assured them of the backing of the government in carrying out these functions. Confidence between Ministers and the Administration must of course be mutual. Now that we have taken steps to make sure that the Administration gives Ministers the support they are entitled to expect, I hope that I may be able to approach the corollary which is to induce Ministers, in their turn, to give the Administration the support they deserve. . . .

286 CO 554/840, no 84

[Feb 1955]

[Federal elections]: CO memorandum on the formation of the new Council of Ministers

A new Nigerian Constitution, based on the agreements which had been reached at the Conferences which were held in London in July-August, 1953, and in Lagos in

January-February, 1954, came into operation on the 1st October, 1954. On that date Sir John Macpherson was appointed Governor-General of the Federation of Nigeria and three Governors of the Northern, Eastern and Western Regions were appointed, with the Sardauna of Sokoto, Dr. Azikiwe and Mr. Awolowo as their respective Premiers. Under the new Constitution the three Regional Governors were given a much greater degree of autonomy; the existing Regional Legislatures and Executive Councils continued to function, with certain changes in their composition provided for in the Constitution (e.g. in the Eastern and Western Regions the Executive Councils no longer included ex-officio or official members).

2. The new Federal Legislature, the House of Representatives, was now to be separately elected, and these elections (by direct secret ballot in the Eastern and Western Regions and in Lagos, and by an electoral college system in the Northern Region and the Cameroons) were completed by the end of December. The results were as follows:—

<i>Party</i>	<i>North</i>	<i>West</i>	<i>East</i>	<i>Southern Cameroons</i>	<i>Lagos</i>	<i>Total</i>
Northern Peoples Congress (N.P.C.)	80	—	—	—	—	80
National Council of Nigeria and the Cameroons (N.C.N.C.)	—	23	34	—	1	58
Action Group—United National Independence Party Alliance	1	18	7	—	1	27
Kamerun National Congress (K.N.C.)	—	—	—	6	—	6
Others	11	1	1	—	—	13
Total:	<u>92</u>	<u>42</u>	<u>42</u>	<u>6</u>	<u>2</u>	<u>184</u>

Of the 13 miscellaneous members six are expected to support the N.C.N.C. and the remainder the N.P.C.

3. The victories of the N.P.C. in the North, the N.C.N.C. in the East and the K.N.C. in the Southern Cameroons were generally expected. Less expected was the N.C.N.C. victory in the West; the Party was expected to do well in the non-Yoruba provinces of Benin and Delta but the extent of its successes in mainly Yoruba divisions was not foreseen.

4. Although the N.P.C. gained a substantially larger number of seats than any other single party, it failed to secure an overall majority which would have entitled it to nominate all ten Ministers in the new federal government. Consequently, the Governor-General, in appointing the three Ministers from each Region as prescribed in the Constitution, was bound by his Royal Instructions to take the advice of the leader of the party having a majority of members from that Region. In effect this meant that the N.C.N.C., being in the majority in both the Eastern and Western Regions, would be entitled to nominate six Ministers, and the N.P.C., in spite of its greater numerical strength, three (the remaining Ministerial post has to be held by a member from the Southern Cameroons).

5. This unforeseen development, resulting from the arrangements which had been agreed among the various political leaders attending the Conference on the Nigerian Constitution, caused a certain amount of speculation, and there were reports that the N.P.C. were contemplating a fusion with the Action Group, with the

object of securing an overall majority of seats which would enable the fused parties to nominate all ten Ministers. There were other rumours of possible permutations and combinations of parties but in the event the various political leaders agreed to a Council of Ministers composed as set out in paragraph 4 above.

6. The new Council of Ministers which has now been formed consists of three Official Members (the Chief Secretary, Financial Secretary and Attorney-General of the Federation) and 10 African Ministers (the Minister of Transport and Works, the Minister of Land, Mines and Power, the Minister of Communications and Civil Aviation, the Minister of Trade and Industry, the Minister of Natural Resources and Social Services, the Minister of Labour and Welfare, and four Ministers without Portfolios) under the presidency of the Governor-General.¹ Five of the Ministers were members of the previous Council of Ministers and their experience and previous co-operation should do much to facilitate the working of the new Council.

7. The formation of the Council of Ministers was a difficult task and involved delicate negotiations between the Governor-General and the N.P.C. and N.C.N.C. leaders. Thanks to the candour, good sense and responsibility displayed by the political leaders in the later stages, these negotiations were successfully concluded and it was possible to give the new Federal Government a favourable start. The successful working of the new Constitution at the Federal level will, however, depend a good deal on the extent to which the political leaders in the House of Representatives can infuse their followers with their own sense of responsibility, and on the degree to which mutual suspicion between the N.P.C. and N.C.N.C. can be allayed.

8. The new House met for the first time on the 12th January 1955. Sir Frederic Metcalfe, lately Clerk of the House of Commons, was appointed Speaker for the first session. Messages of goodwill were received from Her Majesty the Queen and from the Secretary of State for the Colonies. Apart from a few urgent and non-controversial bills, the business before the House is mainly formal; and the first meeting may be regarded as little more than a shake-down in preparation for the more serious and controversial business which will engage the House when it meets for the Budget session in March.

¹ The ministers were (from the NPC) Tafawa Balewa, Mohammadu Ribadu, Inuwa Wada, (from the NCNC) K O Mbadiwe, Raymond Njoku, M T Mbu, Adegoke Adelabu, Kola Balogun, Festus Okotie-Eboh and (from the KNC) Victor Mukete.

287 CO 554/846, no 4

22 Feb 1955

[Mid-West Region]: outward savingram no 13 from Mr Lennox-Boyd to Sir H Marshall outlining objections to a proposed Mid-West Region

[The decision to strengthen regional powers taken at the London and Lagos conferences of 1953 and 1954 gave immense impetus to minority groups who wished to assert claims to their own regions. Demands for three new regions in particular emerged. One, for a Mid-West Region was based around the claims of the non-Yoruba inhabitants of the Western Region and was articulated by the BDPP established in 1953 (see 255). A second, for a Calabar-Ogoja-Rivers (COR) Region, centred on the non-Igbo inhabitants of the East; 1954 saw the establishment of a COR movement in Uyo, with links to the UNIP (see 299). The third, for a Middle Belt Region to be carved out of the Northern Region, was based on minority groups in the North, particularly the Tiv and Birom. Demands for a

Middle Belt Region were initially expressed by the MZL, established in 1950; the MBPP emerged in 1953 and in 1955 the two parties united as the UMBC. Such demands for new states provided plentiful opportunities to be exploited by political opponents of the party in power in a region; in particular the three major Nigerian parties were quick to capitalise on such sentiments in attacking their rivals at a federal level, with the NCNC supporting demands for a Mid-West, the AG demands for a COR Region and both, demands for a Middle Belt. Following the 1957 London conference a commission of inquiry under Sir H Willinck was established to examine claims by minorities for separate regions (see 432).]

Personal from Secretary of State.

Proposals for a Mid-West State, and the problem of the number of Regions/States in the Federation.

You will probably have seen (or can obtain from Ibadan) the record of my discussion on the 24th January with the Ministers of the Western Region Executive Council, in the course of which they urged me to agree to the establishment, in the near future, of a Mid-West State.¹

2. My provisional reply was discouraging, but I promised to consider the matter further.

3. Whether or not I shall now shortly receive a formal request from the Western Ministers for the creation of a Mid-West State,² to which if it came I should wish to send a considered and reasoned reply, it seems fairly certain that the whole question of the number of Regions (or States) in the Federation will be one of the first issues to come up for discussion at the next review of the constitution, and I am anxious to have your views and advice, and those of the Regional Governors, on the matter as soon as possible. The problem is clearly one of fundamental importance for the future of Nigeria, and we must do some hard thinking on it together; and there is not very much time at our disposal for this, if the next constitutional conference takes place next year, as it is due to do.

4. You will recall that the matter was first broached formally by Mr. Awolowo at the London Conference on the constitution (see pages 6–13 of the bound Record of Proceedings, African No. 1182 Confidential), and it is now I believe the publicly declared policy of both the N.C.N.C. and the Action Group to increase the number of Regions beyond three. I have seen suggestions that the West might be divided into two States, the East into three, and the North into four, and the establishment of the Southern part of the Trust Territory of the Cameroons as a separate entity from the East has been quoted as a precedent. I should be glad to be informed as to the exact nature of the latest proposals on this subject, and to know whether I am right in my belief that one of the main motives behind these proposals is the desire on the part of the N.C.N.C. and Action Group to split the Northern Region so as to reduce its present numerical preponderance in the Federal Legislature; also whether, in addition, the N.C.N.C. for their part are anxious by reducing the importance of the component parts of the Federation to work back to a unitary form of government which they would aim to dominate.

¹ Lennox-Boyd visited Nigeria in Jan 1955

² In June 1955 the Western House of Assembly, keen, following the result of the 1954 Federal elections, to excise NCNC supporting areas from the Western Region, passed a motion urging the creation of a Mid-West Region.

5. Questions of principle apart, there seems to me to be at least one fundamental objection, of a practical kind, to the creation of more Regions. The machine of government in Nigeria has undergone two major re-organisations in the last four years, the second of which is still far from complete. A further upheaval, such as would be necessitated by the creation of more Regions, would probably prove more than it could stand. The machine might well break down, and there would then *inter alia* be an end, for an indeterminate period, to much hope of further orderly economic development. This would seem likely even if there were not already a grave shortage of staff, especially in the Federal Service. Given that shortage, of which I am acutely aware, I would believe a breakdown to be inevitable. Subject to your views, I should be prepared to use this argument publicly.

6. A second objection which I see to the proposal for more Regions is this. Before agreeing to radical changes of this kind in the structure of the Federation, I should need to be convinced beyond all reasonable doubt that the resultant structure would be an improvement on the present one, and likely to command general agreement and to last for a long period of years. My present view—though it is admittedly intuitive rather than reasoned—is that imperfect though the present boundaries may be in a number of respects, we are unlikely to be able to devise anything which on balance would work better, at any rate at this stage. The real solution to the kind of problem raised by the Action Group Ministers is for people to learn to live together in amity, and for small minority groups to be treated fairly and indeed, because they are minorities, generously.

7. Thirdly I should mention—though the point is no doubt already in your mind—that the promise about full Regional self-government set out in paragraph 28 of the London Conference Report (Cmd. 8934) was made in the context of the existing Regional structure (taking into account the likely excision of the Southern Cameroons from the Eastern Region). If those Regions were no longer to exist in 1956 (or thereafter), the implications of any change on my predecessor's undertaking would require most careful study.

8. If, however, our conclusion should be that we should maintain the present structure of the Federation, the problem of the great numerical preponderance of the Northern Region would remain. This is liable to give rise to various anomalies, such as the present position in which the Northern People's Congress is the largest single party in the House of Representatives but has fewer seats in the Council of Ministers than the N.C.N.C. I am anxious to know what alleviation of those anomalies, if any, you think might be discussed at the next constitutional conference, or whether you consider that only time and the possible eventual emergence of a federal party with an overall majority at the Centre will solve the difficulty. Would some amendments of Clause 6 of your Royal Instructions and/or section 88 of the Constitution Order in Council be advisable, and if so what would you propose?

9. I have in this savingram expressed my provisional views. Although I realise that you have a heavy programme of engagements to fulfil before your departure from Nigeria in April, I very much hope that, given the importance of the problems to which I have referred, you will find it possible before you leave to let me have your considered advice upon them after consultation, perhaps in joint conference, with the Governors of the three Regions.

288 CO 554/1010, no 89

28 Feb 1955

[Public service]: letter from L H Gorsuch to Mr Lennox-Boyd summarising the findings of his report on the salary structure of the public service

[The Gorsuch Commission, established following the decision to regionalise the public service and pressure from the Western Region government for the reconsideration of expatriate allowances (see 260), was set up in July 1954 to examine salaries and salary structure. His report, *Report of the Commission on the Public Services of the Governments in the Federation of Nigeria 1954–1955*, was submitted to the Federal and regional governments in June 1955. It was welcomed by Lennox-Boyd as ‘wise, comprehensive and workmanlike’ (CO 554/1010, no 158, telegram no 674 from Lennox-Boyd to Robertson, 15 July 1955). The report recommended the abolition of the distinction between a senior and a junior service and its replacement by a division into superscale, administrative, executive, clerical and sub-clerical classes. The expatriation allowance was replaced by giving all staff, Nigerian and expatriate alike, a consolidated salary to include an element for expatriation pay. The children’s allowances for expatriates with families proposed by Gorsuch were rejected by the regional governments as unacceptable.]

When we met in Nigeria, you asked me to see you again as soon as possible after my return home. I am coming back by air on the 3rd March, 1955 and you may like to have in advance some indication of what I shall have to put before you.

2. The line of approach of my report will be to provide, in structure and salary, for an indigenous service, or in other words to align the structure to conditions of wholly Nigerian recruitment. There will be recommendations for increases in salary, but they will not be spectacular. The structural side is much more important. As someone has already said, the Nigerian Service is still shaped like an hourglass instead of a pyramid. This is a relic of the old ‘Colonial’ structure under which the top was European and the bottom African. The time has come to destroy finally the conception of a division into Senior and Junior Services which is still ingrained in everyone’s mind. Hitherto the Nigerian has been suspicious of middle grades because of the fear that he is being offered a second class status while the first class remains reserved for expatriates, but with Nigerianisation of the upper levels proceeding space that suspicion no longer has any validity. There are two requirements—adequate avenues of advancement for anyone who is fit for them, however humble his place of original entry, and ample training facilities to enable the fit candidate to climb as high as ability will take him. The requirements of the public service have not yet been properly geared onto the facilities—University College, College of Technology, technical institutes, etc.—which are being developed in this country, nor are the pre-service and in-service training schemes fully comprehensive or balanced. I shall emphasise these two needs strongly, though the detailed adaptation of my general pattern to many of the technical departments must be worked out by the Governments themselves.

3. The next stage in the report will be to examine whether these indigenous rates of salary will be adequate to attract and retain expatriates in the grades where they are still required. The answer is clearly negative. The evidence of upward trends in salary in comparable walks of life in the United Kingdom, of the terms now being offered by other overseas Governments and Corporations, and of the remuneration of expatriates in commerce and industry in Nigeria, all goes to show that even at present rates of pay plus added inducements the Nigerian Governments are

competing at a disadvantage in the overseas markets. In other words, not only must the added inducement to overseas candidates continue, but it must be stepped up.

4. I should perhaps mention here that the report will propose some improvement of the indigenous salary scale at the professional level; again nothing spectacular, but it will represent a more favourable rate of pay for this class than exists anywhere else at present in West or East Africa. There is evidence that commerce and industry are beginning to compete in this market. Had the present expatriate gross salaries been adequate, this would have meant that the differential between local and overseas rates of pay would have been narrowed. As it is, the gap will be as wide as ever, and indeed probably wider.

5. As for the means, I am more and more convinced that the relief to be granted to overseas officers must be selective rather than general. The bachelor or spinster is not badly off at present; the childless family has to live frugally; the officer with children has to struggle from the outset, and when the time comes to send the children home for education he is in real financial distress. Moreover, the cost of a general increase in overseas pay would be much greater. An increase of £75 a year on the present expatriation pay would cost about £250,000 throughout Nigeria; the present separate domicile allowance of £75 a year each for two children (including the lower scale of allowance paid to senior Nigerian officers) costs well under half of this. In broad terms my recommendations are likely to be:—

- (1) An overseas or 'inducement' addition (pensionable) to the indigenous rate of salary, probably no greater than the present expatriation pay;
- (2) More liberal rates of family allowance, designed as a set-off against the *extra* cost of education arising from the fact that the parent is resident outside the U.K.;
- (3) More liberal passage concessions for children, not only before but also during the age of education.

I cannot be more definite than this until I know the outcome, if any, of representations which have been made on the possibility of rationalising the grants of assistance to overseas British parents by local Education Authorities at home.

6. If I report in the terms outlined above, two major questions will arise. In the first place, what are the prospects of Nigerian Ministers accepting it? Secondly, even if they do, will the changes be enough to steady the present Service when the doors are thrown open to premature retirement?

7. On the first question there are some encouragements that can be given to Ministers. The changes in structure should broaden the front of Nigerianisation appreciably. Nigerians are seeping into the professional levels at an increasing rate, but they should flood the new middle executive levels entirely within a few years. Moreover, it can be argued that an increased outlay on expatriates is, at this stage, in the nature of capital expenditure. As the overseas element diminishes, it will tend to persist longest in two fields—that of instruction and training, and that of development, where the experienced specialist is needed. The Ministers are in fact standing at a cross-roads. One way lies an intensive effort, with help from outside, to ensure that the economic pace keeps up with the political. The other way lies premature disintegration of the overseas part of their Services, in which event development programmes are so much paper for some time to come, and Colonial Development and Welfare funds may as well stay in Her Majesty's Government's pocket. (Even now departments are hard put to it to cover their ordinary ground, and

training schemes are stultified for lack of instructors.) But though the best of the Ministers know this, they are also learning that it is not so easy to play a game as to criticise from the touch-line, especially now that the touchline is occupied by raucous and unscrupulous political opponents. The question of wage rates for daily-paid labour is fast becoming a political one. It would be all too easy for one party or the other to raise the old expatriate witch-hunt again in order to court popular favour or divert attention from its difficulties; and so to drag my recommendations on overseas officers into a political free-for-all in which the long-term interests of the country would be lost sight of entirely.

8. As for the European officers themselves, there are several influences at work. One is the nagging worry over income and expenditure, especially among the officers with children. Another is the fear of deterioration in working conditions—the feeling that, however ready they are to see the country loyally through to self-government and to go on serving thereafter, they may only be able to do it either by blindfolding their conscience or by incurring enmity and misrepresentation that will make their conditions intolerable. The third is the decline in security of tenure—the possibility that Nigerians may be jumped over them for reasons other than merit, that a promised career may be cut short arbitrarily, and even that pensions obligations may not be honoured. It is difficult to disentangle the effects of these influences; but my enquiries have led me to believe that, if the officer were relieved of financial worry, he would in most cases be heartened to stand up to—and return—the knocks that are inevitable in the process of putting the government progressively into immature hands. But I do not believe that any serving officer or prospective recruit will regard an extra financial inducement as a satisfactory safeguard against the third influence above. Certainly the man who is looking for a life career, e.g. in administration, agriculture or forestry, will not. Nor, according to indications here, will the man who is borrowed from authorities at home, such as the Post Office, the British Broadcasting Corporation or the National Coal Board. And if these two sources dry up, the market even for contract appointments will not be bright. The plain fact is that service under an African Government moving rapidly towards self-government is looked at with different eyes from the old type of service under the Crown in a Colonial territory.

9. There are two ways of looking at the future. One is the optimistic view; that Ministers will see reason and be able to make it prevail, and partly because of this, and partly because their nerve may fail them when the decision has to be taken, not many officers will in the event leave the Service, and it will be possible to maintain some semblance of development and prevent Nigeria from degenerating into a group of Liberias. I find it difficult to muster up much confidence in this view. Politics are taking some queer turns, especially in the East, where the attitude to this Commission promises anything but a favourable reception for its report. Reactions in the East will in turn cause political strain at the centre with its N.C.N.C. majority in the Council of Ministers and minority in the House. The forecast which seems to me most probable is not a general acceptance of the report, but a diversity of views which may increase the friction between Regions and throw added strain on the Federation.

10. The other view (which I take) is that on both counts—both to nerve Nigerian Ministers to take a course which will be unpopular among some of their following and to prevent the disintegration of the European element in the Nigerian Services—

it is necessary for Her Majesty's Government to offer a positive contribution in the very near future. Very few officers here regard the Overseas Civil Service in its present form as making any notable contribution; the feeling is, if I may say so, that its sponsors, after a brave show on the diving board, decided after all to go in at the shallow end. The least that will satisfy the need is that henceforth the contract for the officer, serving and prospective alike, shall lie between the employing Government and Her Majesty's Government, and not between the former and the officer himself. This does not imply that Her Majesty's Government should pay him (I think that would be wrong); it may not even imply a central pensions scheme; but it does imply that the officer has a safe base from which to go out and to which to return, and that Her Majesty's Government should accept the liabilities or contingent liabilities arising from it. Otherwise I cannot see what the historian will make of the fact that Her Majesty's Government were willing to grant £100 million for Colonial development, but not to risk a tithe of that amount to provide the men who are needed if it is to be put to profitable use.

11. To the African political leaders the benefit will be that as long as they honour their contracts they will get better men, and get them more cheaply, than they could hope to do by setting up their own overseas recruitment agencies. They may also gain two other advantages. Their present European officers will remain on the job in greater numbers than seems likely at present, and this in turn will encourage others to come out, as there is no more potent influence on recruitment, one way or the other, than the serving officer. And they will be saved some, at least, of the sterile outlay which will otherwise be caused by payment of additions to accrued pension or of compensation for broken careers. I can think of no better aids to Colonial development and welfare than these.

12. This letter is already too long, and as I can see you soon I will not elaborate on it. But it was your wish to have an outline of my findings on this Commission, and my views on the consequences of them.

289 CO 822/940, no 3 [Mar 1955]
 [Nigerian unity]: appreciation on Nigeria by the CO stressing the
 desirability of avoiding the creation of further regions [Extract]

... 14. More will be heard of this clamour for more States, and the problem cannot be lightly dismissed. But, despite Nigeria's diversity, there ought to be no further fragmentation. As the present Secretary of State (Mr. Lennox-Boyd) said in Lagos last January, the further splitting up of the country into a large number of small States would be tragic—the tendency in the world to-day is towards integration and not towards further fragmentation. And, questions of principle and motive apart, there is at least one fundamental objection, of a practical kind, to the creation of more Regions. The machine of government in Nigeria has undergone two major upheavals in the last four years because of the constitutional changes, the second of which is still far from complete. A further upheaval, such as would be necessitated by the creation of more Regions, might well prove more than it could stand.

15. A main aim of United Kingdom policy for Nigeria in the immediate future is therefore to prevent further fragmentation of the territory and to preserve the unity

of the Regions within the Federation against possible moves to secede. The Action Group in the West, made it plain at the Lagos Conference in January 1954 that they would like to see a right of secession written into the next Constitution, and on this they received a not unsympathetic hearing from the Northern People's Congress, smarting as they still were under the insults and abuse heaped upon them by politicians of both the main Southern parties because of their opposition to the 'self-government by 1956' motion in April 1953.¹ There is no future worth considering for Nigeria unless she can remain united. The North has no outlet to the sea and the West no major port (Lagos is now, quite rightly, federal territory). The East is poor—much poorer than the West and a good deal poorer than the North—and land-hungry. Communications by rail, road, air and water are based and operated on a united country, and the existing freedom of movement for internal trade has been a potent factor in expanding and diversifying the economy. In short, the Regions are dependent on each other, and there is no doubt that it is in the interests of all their peoples that the unity of the country should be preserved. Moreover, a united Nigeria with her large, vigorous and enthusiastic population will in time have no mean part to play in the Commonwealth, to full membership of which she aspires, and in world affairs this side of the Iron Curtain. . . .

¹ See 187.

290 CO 554/846, no 9

13 Apr 1955

[New regions]: letter from Sir B Sharwood-Smith to T B Williamson on the future place of the Northern Region within Nigeria

I recently wrote a demi-official letter to Macpherson on the subject of the Fragmentation Policy of the Action Group and the N.C.N.C. in so far as it affects the North. The appropriate reference is the Secretary of State's Secret and Personal Savingram No. 13 of 22nd February, 1955.¹ In that this Savingram was copied to me, I feel it appropriate to repeat my views as expressed to Macpherson direct to London.

The Secretary of State's Savingram fully covered the Constitutional and overall administrative aspects of the subject and I will not refer to these, neither will I refer to the other two Regions except in so far as I must underline the fact that, to both the N.C.N.C. and the Action Group, a measure of fragmentation is a major objective of policy in both instances. Both would like to see the North weakened as a result of being split up into smaller 'States'. The mere fact of this being a major objective of policy is quite enough to prejudice North/South relationships indefinitely, quite apart from other factors.²

¹ See 287.

² On 14 Feb 1955 Sharwood-Smith noted that 'it is appropriate to record the increasing tendency of many ministers, and particularly the Premier, to indulge in anti-Southern diatribes on the one hand and to evidence a narrowing and more militant Islamic outlook on the other. This despite repeated reminders that a Southern exodus would result in total collapse and that one sure way of ensuring this is rabid racialism, particularly when this is combined with acute religious intolerance' (CO 554/1161, no 1, Sharwood-Smith to Lennox-Boyd, 14 Feb 1955).

As regards the North itself, it is my conviction that unity can only be maintained by delegation of authority and responsibility and by the creation, at a fairly early stage, of semi-autonomous 'Provinces' each with its own Constitution but each tied constitutionally very securely to the Central Government of the Region.

The big Native Administrations on the one hand and the big non-Moslem Chiefdoms and Federations in the Central and more Southerly areas on the other, are becoming increasingly concerned at present political tendencies as expressed by certain N.P.C. leaders, the Premier in particular, and by minor Party officials. Reasons differ. The big Moslem Native Administrations fear an increase in what they regard as 'Ministerial interference' in domestic matters, particularly when it is occasionally combined with arrogant behaviour on the part of the Premier, to a degree that they are very apprehensive at the future. They see danger, not far ahead, of their being tied hand and foot to the leaders of the political party in power at the time. The non-Moslem Native Authorities are of the same mind with the added apprehension of, at best, neglect by the party in power or, at worst, attempts at domination by Moslem-led minority groups as the instrument.

I am sure that internal separatism can be avoided and that a greater feeling of confidence in the Regional Government and in the future of the Region can be ensured were it known that we are working for a far greater degree of devolution of authority to the modernised Native Authorities of the future subject to constitutional safeguards.

I personally picture in the future instead of the twelve Provinces, possibly fifteen to twenty units each with its own Provincial Council and with authority, for instance, to employ either on secondment or by direct contract, its own Overseas staff.

The part that the present Provincial Administration will play in this would be increasingly analogous to that played by the old Indian Political Service. I do not want to develop this theme because it is part and parcel of another problem, i.e. the future of the Administration as such, but it is necessary that I touch upon it in order that the picture that I have in my mind may be a little more clear to you.

I know that so far I have done little more than dwell upon how I think that the North can be held together but if this aspect of the problem at least is solved, it will tend to a greater degree of stability in Nigeria as a whole.

As regards paragraph 8 of the Secretary of State's Savingram of 22nd February, 1955, it is difficult to speculate without knowing what type of structure will emerge at the Centre after 1956. My personal view is that the North will go for a considerably smaller Legislature and a Federal machine as strong, but more restricted in scope, than at present. Under these circumstances they would probably not demand representation in the Council of Ministers proportionate to their representation in the House. Amendments to the Royal Instructions and to the Constitution Order in Council, as suggested, would make this possible.

I cannot see at this stage any possibility of an emergence of a Federal Party with an overall majority unless something cataclysmic occurs either in the North or in the other two Regions.

The foregoing paragraphs represent practically word for word what I wrote to Macpherson.

291 CO 554/846, no 10

18 Apr 1955

[New regions]: letter (reply) from Sir H Marshall to Sir T Lloyd on the views of Nigerian leaders on the creation of further regions

On the day before Sir John Macpherson left Nigeria he presided over a discussion we had with the Governors of the Eastern and Western Regions. Unfortunately, Sir Bryan Sharwood-Smith was prevented by indisposition from travelling to Lagos but his views on some of the matters discussed were on record. The greater part of our time was spent on the problems of possible division of the Federation in the course of further constitutional advance which were the subject of the Secret and Personal Saving issued from your file, WAF.16/3/09, dated 22nd February, and addressed to the Federation as No. 13 (and to the North as No. 5, the East as No. 4 and the West as No. 7).¹ In that Savingram the Secretary of State expressed the hope that Sir John Macpherson would find it possible, before his departure, to send his considered advice on the views there recorded, advice which would be based on consultation with the Governors of the Regions. I am sorry that there was no opportunity earlier than 11th April to arrange a joint conference on this important subject and that it has therefore been impossible for Sir John Macpherson himself to prepare a letter setting out his views. But these particular problems have been much in all our minds, Sir John had prepared some notes upon them, the meeting with the two Governors resulted in a most fruitful and interesting discussion and the general outline of this letter has Sir John's approval and he has authorised, in principle, if not in terms, the views here set out.

Paragraph 4 of the Savingram asked for information about the exact nature of the latest proposals for the division of Regions. None of the main political parties has given publicity to its proposals in this respect since the visit of the Secretary of State but opportunity was taken during the discussion with the Governors to ask for their understanding of the present views of political leaders. I shall set out their replies but, before doing so, I feel that I must make the point that on this subject, as on others, political views are apt to change so rapidly that it is dangerous to suppose that the latest views of the parties are necessarily those which they will advance in 1956. There was evidence of this in this particular connection immediately after the Federal elections last year: when the Action Group were wooing the N.P.C. they said that they were willing to defer demands for Regional self-government if the Northern leaders would enter into an alliance against the N.C.N.C. Their view on self-government was very different when the Secretary of State visited Ibadan in January.

The first paragraph of the Savingram recorded that the Ministers of the Western Region Executive Council urged the Secretary of State, when he met the Council in January, to agree to the establishment, in the near future, of a Mid-West State. Sir John Rankine says that that is still the expressed policy of his Ministers but he found it difficult to obtain information about the shape of the 'State' which they propose. At one time the Ministers were thinking of an organisation in which there would be but one Governor for the Western Region although the Yoruba group of Provinces and the Mid-West group would each have its own legislature. Even then it was not clear whether it was proposed that there would be some common services or whether the

¹ See 287.

governmental machinery would be duplicated; nor was it clear whether a complete division of ministerial responsibilities was intended. It is doubtful whether the Regional Ministers had worked out proposals in detail or whether they have done so yet, but Sir John Rankine understands that they are preparing a brief now.

The only overt act of the Western Ministers in furtherance of the expressed policy of a Mid-West State in recent months has been the preparation and distribution to the Western Legislature at its recent Budget meeting of an Analysis, as between the Benin-Delta Provinces and the rest of the Western Region, of Estimates of Revenue and Expenditure for 1954-55 and 1955-56. This was prepared by officials of the Ministry of Finance at the request of Mr. Awolowo in order that he might be able to rebut allegations which he feared would be made in the Legislature that these two Provinces had received less than their due share of Government money. The Analysis was necessarily hastily prepared and can not claim to be based on unassailable principles. The revenue figures are said to have been determined by the division of all items of revenue in proportion to the population of the two areas, except in the case of revenue from export produce, which was divided on a derivation basis. The expenditure figures are said to have been determined 'by derivation break-down'. This Analysis shows that in 1954-55 the Benin-Delta Provinces were estimated to produce 18.5% of the Region's revenue and to receive 22.5% of the total expenditure. The corresponding figures for 1955-56 are 18% of revenue and 23.8% of expenditure. The population of the two Provinces is estimated to be 24.5% of the Regional total. The conclusion to be drawn from this admittedly inadequate Analysis is that there would have to be a substantial increase in taxation or a substantial reduction in the level of public services if a Mid-West State were to be financially viable.

Nevertheless, the Regional Ministers continue to support the project. Sir John Rankine believes the reason for this to be:—

- (a) Mr. Awolowo's holding of conscientious views about self-determination.
- (b) The practical facts that the Mid-West is largely N.C.N.C. in sympathy and is now a financial liability and not an asset to the solid Yoruba group.
- (c) The desire to set in train a splitting of the rest of the country which might be calculated to leave the Yorubas as the most homogeneous and most powerful group. (In the alternative this group might wish to hive off from the Federation altogether if constitutional advance in the Federation were not immediately in sight).

These reasons are further complicated by the cold truth that it would be political suicide for any Western politician in present circumstances to come out openly against the separate State now desired by the people of Benin and Delta Provinces.

Sir John Rankine has no reason to believe other than that the Action Group's support of the proposal for an Ogoja-Calabar-Rivers State is due solely to a desire to embarrass the N.C.N.C.

Sir Clem Pleass doubts whether there will be in 1956 any substantial body of organised opinion in the Eastern Region in favour of an Ogoja-Calabar-Rivers State. The 'Ogoja' element is now confined to Ikom and Obubra (the N.C.N.C. having carried the rest of the Province) and the strength of the desire in Ikom is doubtful. The present opposition to the N.C.N.C. in the Eastern Region is of negligible strength; and the cause of a separate State is further weakened by the fact that

although it derives some of its strength from non-Ibo fear of Ibo domination, it relies for its effectiveness in large part on Ibo politicians who now declare for it merely because they are opposed to the N.C.N.C. but who might take a different view if purely tribal considerations came to the fore.

Sir Clem prefaces his views on the current policy of the N.C.N.C. by pointing out that the course of events in the East has shown the party to be a collection of opportunists who will, if they think it expedient, be quite unabashed about going back on previous statements of 'principle'. The N.C.N.C. now supports the Benin-Delta agitation for a separate State and also the demands of the Middle Belt People's Party in its demands for a separate Middle Belt State. The 1948 'Freedom Charter' of the N.C.N.C. proposed a 'Commonwealth organised into States on national and linguistic basis' and the election manifesto published in 1954 argued that the Regions should be divided into smaller states so as to 'ensure economic interdependence of the parts and political unity of the whole'. Dr. Azikiwe's main aim is still a unitary government for Nigeria but he realises that this is unlikely to be achieved unless the North can be split or unless there is a tremendous and totally unexpected change in the temper of the Northern leaders and of the Hausa and Fulani peoples. As an alternative, Sir Clem considers that Dr. Azikiwe will aim to capture the Western Region in the next general election and may then, with an N.C.N.C. majority in the Legislatures of the Eastern and Western Regions, claim self-government for a Southern Nigeria entirely separated from the present Northern Region. Any idea of 'State' Governments based on ethnic groups would then be thrown overboard and the N.C.N.C. would press for the greatest degree of centralisation which they thought they could survive at the polls.

(For this reason, as well as for others, the probable date of a general election for the Western Region Legislature is a matter of interest and importance. Sir John Rankine reports Mr. Awolowo's first thought to have been of an election *before* the next constitutional Conference. Then he put to the Governor the view that an election immediately *after* the Conference would enable a new Government to be formed charged with the duty of giving effect to the new constitutional arrangements desired by the people. He has now returned to the idea of an election *before* the Conference. There is no longer talk, as there was before, of the possible advantages of going to the Conference as a party in Opposition and relieved of the responsibilities of power. On this basis, it seems probable that there will be an election in the Western Region early in 1956. The present Ministers would like to hold on to the system of election through electoral Colleges but there will be so much harping, by the N.C.N.C. and by others, on the imperative need to have universal adult suffrage that the Western Ministers will probably have reluctantly to agree to elections on this basis).

Sir Bryan Sharwood-Smith wrote recently to Sir John Macpherson about Northern views:—

'I must underline the fact that, to both the N.C.N.C. and the Action Group, a measure of fragmentation is a major objective of policy . . . Both would like to see the North weakened as a result of being split up into smaller 'States'. The mere fact of this being a major objective of policy is quite enough to prejudice North/South relationships indefinitely, quite apart from other factors.'

His ideal for the Northern Region would be the substitution for the present twelve Provinces of some fifteen to twenty units each with its own Provincial Council to

which there would be a considerable devolution of authority subject to constitutional safeguards. (These are matters which he will doubtless wish to develop in later correspondence and I need do no more in this letter than record his view).

N.E.P.U. has never made clear its stand on 'States' but it is known to support the concept of 'one Nigeria'. The Middle Belt Peoples' Party has declared for a separate Middle Belt Region with its own bi-cameral legislature. The Middle Zone League is not essentially a separatist movement but resents Muslim domination of Middle Belt affairs: it contains, however, a section favouring a separate Middle Zone State, the extent of which does not seem to have been defined.

We were agreed at our meeting that the representatives of the great majority of the people in the Northern Region would, at a 1956 Conference, be so resolutely opposed to fragmentation of the Northern Region as to be likely to quit the Conference if there were signs that H.M.G. was prepared to agree to demands for the creation of separate States. Increased autonomy of large local units within the present Regions would be acceptable to the North; but would not be acceptable to the present leaders of the East. The creation of new autonomous units within the Federation but not within the Region would be utterly unacceptable to the North and this assessment of the situation must be added to the weighty arguments against fragmentation in paragraphs 5 and 6 of the Savingram. There is also the important fact, stressed by Sir John Macpherson, that all these Southern notions of fragmentation spring from old rivalries of tribes, personalities and parties, and are given a chance to develop only because of the loosening of British unifying influence. The British made Nigeria and Nigerians. Young men and women now growing up value those conceptions and wish them to continue and develop further; it is the old rivalries which stand in the way, and these rivalries do not end at the Southern 'States' which are now being discussed; there would be old rivalries and old jealousies within the proposed 'Mid-West' State just as bitter as there are at present between the 'Mid-West' and the 'Yoruba West'.

Sir John Rankine told us that although his conversations with Mr. Awolowo on the proposal for a Mid-West State had not shown clearly what Mr. Awolowo would do if that idea were rejected by H.M.G., it might well be that he and his colleagues would not be ill content with such an apparently adverse decision. They must support the proposal now; but if they could claim credit for supporting it and blame H.M.G. for making it impossible of fulfillment, they might not be unwilling to accept the resulting situation.

To sum up our present conclusions—and I must again emphasise that circumstances may entirely change before the Conference takes place—there is likely to be some support for the creation of new 'States' in the south, but this is unlikely to be regarded as a 'sticking point' by any Southern party. There will be pressure from Southern politicians to split the North, pressure which will be bitterly opposed by Northern delegates and will be regarded by them as a 'sticking point'. If the Federation is to be held together it will almost certainly be necessary for H.M.G. to support the Northern view and it will be easier for H.M.G. to do so if it is unsympathetic to further fragmentation in the South.

If the outcome is on the lines which I have just suggested it will bring into prominence the only other matter upon which the Savingram asked specifically for an answer, the possible alleviation of anomalies resulting from the fact that under the present Constitution the N.P.C. has only half as many seats in the Council of Ministers as has the N.C.N.C., although the former is the largest single party in the

Legislature. The Secretary of State alludes to the possibility that a Federal party with an overall majority will ultimately emerge and that will remove the anomalies. Sir Bryan Sharwood-Smith has recorded the view that there is no possibility of the early emergence of any such party 'unless something cataclysmic occurs either in the North or in the other two Regions.' We all agree with this view but the problem wants further examination and I will address you further on it.

Long as this letter already is, I feel I must go on to record our feelings about matters other than fragmentation which resulted from Sir John Macpherson's discussion with the Governors.

It is essential that the ground for the Conference be thoroughly prepared by staff-work here and in London; staff for such work is desperately short and it will be well to settle during 1955 what H.M.G.'s 'sticking points' are so that staffwork may be limited to what is necessary and be directed along the most useful lines.

Consideration of this brought us to the realisation that there are two exceedingly important matters which can not be regarded as settled and about which careful thought is needed. These are the location of the Conference and its composition. The London Conference (para. 27 of Cmd. 8934):—

'agreed to recommend that a conference consisting of delegations from each Region of the Federation chosen by their respective Governments in such a manner as to ensure adequate representation of all shades of political opinion in the Federation, should be convened in Nigeria not more than three years from the 31st of August, 1953, for the purpose of reviewing the Constitution, and examining the question of self-government.'

But, unlike the matters of immediate moment which we resolved should not be reopened in Lagos in January, 1954, if they had been settled in London in 1953, there is no reason why this should be regarded as immutable insofar as the location of the Conference is concerned. As Mr. Awolowo readily agreed when Sir John Rankine pointed this out to him recently, there are grave disadvantages in having the Conference in Lagos. Expert advice on specialised constitutional matters is not available; even the supply of reference books is inadequate. Mr. Awolowo remarked to Sir John Rankine that the work done and the advice given by experts during the London Conference had been invaluable. This advice can, of course, always be obtained by adjourning the Conference and that was the course followed last time, particularly because of the need for a fiscal enquiry. But this course is open to the objection that an adjournment may result in an opportunity for the immediate acceptance (even if it be only a resigned, and not an eager, acceptance) of proposals being converted into frustrating delays in the course of which opposition develops. There is also the argument that the Conference would be much more likely to achieve generally satisfactory results if it were removed from the influence of local 'pressure-groups' and even the leaders of the Nigerian delegations might be glad to be working away from the embarrassment of these groups. I shall say no more on this subject here but suggest that official advisers in your office and in Nigeria should give thought to it in the months immediately ahead.

Next, as to the composition of the Conference, the paragraph in the Report is manifestly incomplete. Nothing is said about the representation of Federal territory (and, as the quasi-Federal territory of the Southern Cameroons was a conception not then present to the minds of the Conference, nothing was said about that), nor, indeed, of

the participation of Her Majesty's Government in the United Kingdom. It is clear that arrangements must be made to ensure that the advice of those experienced in the working of the Federation as such, during the operation of the present Constitution, is available to any Conference settling the future of Nigeria. But para. 27 of the London Report makes no mention of that. Nor are these deficiencies remedied in the Report by the Resumed Conference. It seems plain to us, therefore, that para. 27 of the London Report can not be construed literally and that there must be further thought about the whole matter of composition of the Conference. The discussion with Governors resulted in general acceptance of the view that new constitutional proposals must inevitably be framed against a background of fear by minorities of being dominated by majorities once the era of *pax Britannica* is ended and we are no longer effectively 'holding the ring'. And some of the minorities may be so large as to merit very special consideration. For instance, were Dr. Azikiwe's hopes to be realised and were his party to win the next general election in the Western Region, there would have to be set against his claim to entitlement to demand a self-governing Southern Nigeria effective representation of those opposed to his views. Even if the number of seats which he won in the Western House of Assembly were large, it is undeniable that there would be very large numbers of people utterly opposed to his claim. He might, indeed, win many seats although polling only slightly more of the total votes than his opponents. It will not suffice to give representation at the Conference only to those parties represented in the Federal and Regional Legislatures; nor will it necessarily suffice to give representation to those parties in proportion to the strength of their representation in the Legislatures.

Although one cannot predict with certainty what issues will arise for discussion at the Conference, one can safely say that there will be matters for decision on which the electorate in the Eastern and Northern Regions will not have had an opportunity to record its desires through the election of candidates to the Regional Legislatures; and there may well be matters which have not been put to the electorate in the Western Region even if there is a general election next year. How then is representation at the Conference to be based? And should we, on this occasion, require that the decisions reached at the Conference should be referred to the Regional and Federal Legislatures for examination and comment before being put into effect? There were suggestions that this should be done in 1954 and as decisions taken in 1956 are likely to be more far-reaching and of greater consequence to the destinies of the peoples of Nigeria, the case for reference back is stronger.

Here again I need say no more for the present than that we were convinced of the need for close examination of this problem by officials in the near future.

The settling of the place and composition of the Conference will take some time but there is one matter in connection with the problems of fragmentation upon which I should be grateful for a very early reply from you. Whether or not H.M.G. decide to regard the rejection of fragmentation as a sticking-point, the Conference must be given all the arguments for and against and must have all the facts about the possible consequences. Most important among these facts will be the financial facts. As we saw it at our talk with the Governors, there is a choice between:—

- (a) beginning work immediately on the collection of financial material showing the consequence of each one of the various divisions of the present Regions which are likely to be proposed at the Conference; and

(b) adjourning the Conference as soon as it is known what proposals are desired to be made, and then instituting the necessary fiscal enquiries.

We all agreed that (a) is preferable. But we should have to get the approval of Regional Ministers to the making of the enquiries. Otherwise, the purpose of the enquiries would be misunderstood and ministerial resentment would be caused. If the deductions from the facts assembled in each case were to be unassailable, the enquiries would have to be made in much more detail and with much greater accuracy than (for instance) the recent Western Region 'Analysis of Estimates of Revenue and Expenditure'. They would have to be made as part of the work of the Ministries of Finance and the offices of Financial Secretaries and they would inevitably put no little strain on staffs already hard pressed. Therefore, if they are to be begun, the sooner they are begun the better.

The Governors of the Eastern and Western Regions thought that if the inevitable choice set out above were explained to Ministers, consent to the enquiries would be forthcoming (but Sir Clem Pleass made the point that he would have to wait for a time more propitious than the present to put the matter to his Ministers); Sir John Macpherson was a little doubtful what Northern views would be but thought that Northern Ministers might see the advantage of the assembling of fiscal information which is much more likely in the event to support their stand against fragmentation in the North than to show the viability of any of the separate units which have been proposed there.

Subject to your views, therefore, I should like to be able to suggest to all three Governors that they should seek the consent of their Ministers for the early beginning of financial enquiries into the possible consequences of each of the fragmentation proposals of which we have knowledge.

I am sorry that this letter is long and not particularly well shaped but there is advantage in showing how our consideration of the problem dealt with in the Savingram led to discussion of other matters and our desire to bring them to your notice. I am sending copies of this letter to Regional Governors.

292 CO 554/1183, no 11 **20 Apr 1955**
 [Northern Region]: minute by T B Williamson to C G Eastwood on
 the political development of the North

Since you spoke to me about this yesterday I have been thinking the matter over.

As I said then, I think it would be useful if you were to discuss the position with Sir Bryan Sharwood-Smith when you visit him. But before you do so, I think I should make the position a little clearer than I did yesterday.

In your minute you refer to paragraph 11 of (9).¹ But you will not have overlooked paragraph 13 where the Governor says: '... although the Chiefs took no active personal part in the Elections, it was their known preference for the N.P.C. as representing the only political group that combined a sense of responsibility with the desire for progress that resulted in the overwhelming N.P.C. victory. This contention is indisputable.'

¹ Paragraph references refer to a letter from Sharwood-Smith dated 6 Apr 1955.

In addition, as you will know from the reports of the London and Lagos conferences, the Emir of Katsina² attended both conferences as a member of the N.P.C. delegation.

I think it is probably right to say that many of the leading Chiefs, while they are probably not 'dues-paying' members of the party, do in fact support it so far as the term can be understood in the present circumstances of the North.

The whole idea of 'Ministers' etc is still very new to the North, and indeed strange to many quite intelligent Northerners. It is the fact, for example, that the (old) Emir of Kano³ came back from the general conference at Ibadan on the Macpherson Constitution, in 1950, where the conference decided that there should be Ministers both at the Centre and in the Regions, and asked the D.O. at Kano what in fact Ministers were.

And I expect Sir Bryan would probably confirm that even today 90% or more of people in the Muslim North would say that, in the last resort, if not earlier, they would do what their Emir told them. And their Emir would do what his Governor told him.

I think the strains that the present structure of Government in the North is subject to are probably less than the strains which would be imposed by an attempt to introduce something more logical at this stage. After all I think we would all agree that you can govern by consent, or you can govern by force, but you cannot govern by logic. It is a lesson which I think the French have yet to learn.

² Alhaji Sir Usuman Nagogo, Emir of Katsina, 1944–1981.

³ Alhaji Abdullahi Bayero, Emir of Kano 1926–53.

293 CO 554/846, no 12 12 May 1955 [New regions]: letter (reply) from Sir T Lloyd to Sir H Marshall on the creation of further regions and planning for a new constitutional conference

Thank you very much for your letter (247/) of the 18th April in reply to our savingram of the 22nd February on the subject of a Mid-West State and the number of Regions/States in the Federation.¹

2. We note that your present conclusion on this matter is the same as ours, namely that further fragmentation must be opposed. We have noted also that you emphasize that circumstances may change before the next constitutional conference, and we shall of course rely on you and the new Governor General in Lagos, in consultation with the Governors of the Regions, to keep us informed of any important developments in this matter, and particularly of any change in your thinking. (Williamson has had two letters from Sharwood-Smith confirming and amplifying the views of his which you summarised on page 3.² Sharwood-Smith's ideas for the North will need further study, but the essential point for present purposes is that he endorses the view that the Northern Region should not be split up into smaller States).

3. We infer that you agree with the arguments adduced in paragraphs 5 and 6 of

¹ See 287 and 291.

² See 290.

our savingram, but we should be glad if you would say whether you agree that the argument in paragraph 5—that the administrative machine would not stand another upheaval—might be used publicly.

4. Our agreed conclusion leaves unresolved at the moment the problem of the great numerical preponderance of the North and the awkward anomalies to which it gives rise. On this we will await your further suggestions as promised. In one of his letters referred to above Sharwood-Smith has expressed the opinion that the North will go for a smaller Legislature and a Federal machine as strong, though with fewer functions, than at present. If that were accepted he thinks the North would probably not demand representation in the Council of Ministers proportionate to their representation in the House. We may well be faced again, as we were at the London conference in 1953, with a demand for a bi-cameral legislature at the Centre (with the Regions equally represented in the Upper House) and we hope that you and the Regional Governors will be thinking what our line should be if we were. But for the present I will not say more on this, pending your further communication, than that we are relieved to note that the North are still thinking in terms of a Legislature and Council of Ministers at Federal level, and not reverting to the idea of a mere central 'agency'.

5. Coming now to the other questions raised in your letter, our conclusion that there should be no further fragmentation seems to us to make it unwise to adopt the suggestion at (a) on page 6, namely that work should begin now, with the knowledge and approval of Ministers, to collect financial material to show to what extent any new States, etc., might be viable or otherwise. Whatever explanations or assurances were offered, we believe that it would be difficult, if not impossible, to convince Ministers—particularly Northern Ministers—that the enquiry was not the first step by H.M.G. towards abandonment of our present position, and that we were not going back on what Mr. Lennox-Boyd said at his Press Conference in Lagos last January, namely that further fragmentation would be 'tragic'. We feel we ought not to run any risk of loss of confidence in this matter, and we note that Macpherson himself was doubtful about Northern reactions to your suggestion. Moreover we can see no harm at all in waiting: if the next constitutional conference wants an enquiry of this kind put in hand, and H.M.G. were to agree to it, the parties to the conference would have to be content to await the results; and no Region could fairly complain if Regional self-government were not granted until the results were known and had been studied, for the reason given in paragraph 7 of our savingram.

6. At the same time we believe it would be imprudent to do nothing at all on the fiscal side in preparation for the conference, and accordingly we think our next move should be to test the reactions of Ministers (both Federal and Regional) to a new fiscal enquiry based, implicitly though not explicitly, on the present Regional structure. With this in mind I enclose for your comments the draft of a despatch which (bearing in mind that it may take as long as six months to find a suitable 'expert') we should like to aim at submitting to the Secretary of State and subject to his approval, sending out by about the end of June.

7. The advantages we see in sending out a despatch on these lines are as follows:—

- (a) H.M.G. keep the initiative generally, and if the next constitutional conference takes place in August, 1956, the report should be ready for consideration at it if the proposals in the despatch are accepted.

(b) While there is no explicit reference in this draft to a conference in 1956—which omission is deliberate—any criticism on this score could easily be met by our pointing out that by referring, as the despatch does, to paragraph 66 of Sir Louis Chick's report we obviously had such a conference in mind.

(c) If any of the Governments in Nigeria object to a fiscal review on the basis of the present regional boundaries, our answer to them should not be very difficult; but any delay which might then ensue would not be H.M.G.'s fault.

(d) The terms of reference we propose seem to us fair and appropriate (though of course we shall welcome your comments and any alternative suggestions you may have), but here again if objection were raised to them—as we realise may very well happen—the responsibility for any delay involved in getting agreement would not be ours.

8. So far as the composition, location, and timing of the conference are concerned, our present views are as follows. On composition we agree that paragraph 27 of the Report of the London Conference (Cmd. 8934) was incomplete, and that the Federation itself and the Southern Cameroons must be properly represented, H.M.G. will of course be there too, as Lord Chandos made very clear at the Lagos conference, and it is probable that whoever is Secretary of State at the time will himself wish to preside. 'All shades of political opinion' in Nigeria will have to be 'adequately represented', and we shall look to the Governor-General, in consultation with the Regional Governors, to recommend to us in due course who ought to be invited. Here I should like to mention, for the sake of completeness, that we think the wording of paragraph 27 of Cmd. 8934 should exclude such bodies as A.N.T.U.F. who, as you know, urged on Mr. Lennox-Boyd in Lagos last January that they should be represented. We do not think they ought to be regarded as representing a 'shade of political opinion' in this context: the opinion they represent is, or should be, 'industrial' opinion.

9. As you say, we need not decide now whether the conference should be in Lagos or London. We recognise that a conference outside Nigeria has some of the advantages which you mention. But pressure-groups can be built up even in London, and if they were they are more likely to be pro-Southern (and pro-NEPU) than pro-Northern. Moreover, as you will recall, it was fairly strongly urged by Nigerians at the London conference in August, 1953, that future conferences about the Nigerian constitution ought to be held in Nigeria. Hence the decision to hold the resumed conference in Lagos, and also the decision (recorded in paragraph 27 of Cmd. 8934) that the 1956 conference should be convened 'in Nigeria'. The other disadvantages which you mention of holding the conference in Nigeria would be met if the Secretary of State presides and is accompanied, as he would be, by an adequate team of expert advisers (with any necessary reference books); and from a Secretary of State's own point of view Lagos is probably preferable in that he would be less preoccupied there with other matters than he would be in London and thus free to concentrate his attention on the business in hand. Lagos too offers the advantage that information and advice is readily available on local matters. Finally, it should be a much more convenient arrangement for a United Kingdom delegation of perhaps eight or ten persons (including, we would hope, a Conference Secretary-General from the Cabinet Office here) to travel to Lagos rather than that a whole regiment of delegates and advisers from Nigeria should have to travel to London. There might

indeed be considerable difficulty (as there was last time) in suitably accommodating so many Nigerian visitors in London, especially if the conference were held during the summer season.

10. On timing, the present commitment is of course that the conference shall take place not later than August, 1956. When Mr. Lennox-Boyd was in Nigeria in January, there were signs that the N.C.N.C. in the East and the N.P.C. would be glad if somehow or other the date could be postponed. But Action Group Ministers, as you know, made it clear that they expected the conference to take place some time in the summer of next year. Until fairly recently we were trying to think of some way in which we could get the conference postponed by general agreement and without loss of face for any of the major political parties, because obviously the present constitution ought, other things being equal, to be given a longer run. But other things are not equal and the recent moves in Eastern Nigeria which have led to the use of the Governor's reserved powers there made us wonder whether we should in fact be wise to seek any postponement. Pleass has promised us within the next few weeks a careful assessment of the effect of his Ministers' actions on the Public Service. And if, as we fear, this assessment should indicate that a large exodus of expatriate officers from the Eastern Region is likely to begin next October and assume such serious proportions that good government would be jeopardised, then it might be that the Secretary of State would feel that it would be better for the Eastern Region to take Regional self-government if they want it in 1956 rather than that he should seek to carry any longer a responsibility to Parliament which he no longer had adequate means of carrying out.

11. On page 6 of your letter you ask whether we ought to require that the decisions reached at the next conference should be referred to the Regional and Federal Legislatures for examination and comment. Our present view on that question is that it can probably best be left for decision until the conference has met and is nearing the end of its labours. If it were—as we must try to make it—a truly representative conference, and the outcome seemed satisfactory from H.M.G.'s point of view, then I think we should probably want to translate its recommendations into legal effect with the least possible delay. If, on the other hand, the outcome seemed unsatisfactory, reference to Legislatures might then be proposed as a useful delaying factor and in the hope that in the outcome something more satisfactory might emerge.

12. Finally, we entirely agree that there are many matters (including preparation for the conference itself) which require careful thought by officials here and in Nigeria from now on. As you know from one or two recent letters from us, we are already studying some of the main questions. In particular we should welcome your views as soon as you can let us have them on the important question of the Governor-General's responsibilities for public order, and the maintenance of the constitution, referred to in Williamson's letter (WAF.33/3/01) of the 14th February to Macpherson.

13. I am sending copies of this letter (with enclosure) to Sharwood-Smith, Pleass and Rankine and shall, of course, be glad to have their comments on this letter and the draft.

294 CO 554/1181, no 8 14 May 1955
 [Eastern Region crisis]: letter from Sir C Pleass to T B Williamson on
 the developing political and economic problems in the Eastern
 Region. *Minutes* by M G Smith¹ and T B Williamson

[There were several factors that lay behind the crisis that developed in the Eastern Region in mid-1955, though at its heart lay the collapse in relations between Sir C Pleass and the regional government, and particularly the premier, Dr Azikiwe. Partly this was due to the legacy of the constitutional crisis in the region in 1953, when Pleass had used his reserved powers to get bills through the House of Assembly against the NCNC policy of non cooperation (see 171). The administration at the time, it was alleged, had been sympathetic to the 'sit-tight' ministers and the NIP (see 175). Thereafter, allegations of corruption made against ministers made matters worse (see 300). The deterioration in relations came to a head in March 1955 when the House of Assembly passed a budget that deliberately chose not to make provision for expatriate allowances for a number of senior officers, that abolished the post of a senior Resident and that down-graded the pay of the (expatriate) secretary to the premier. Pleass used his reserve powers once again to pass supplementary estimates covering these sums. The Eastern government argued that the House was acting within its constitutional rights and justified its actions in terms of its policy of Nigerianisation; it stressed that the posts affected were technically vacant, the holders being temporary appointees, and that the cuts therefore did not affect them. The abolition of expatriate allowances in effect 'Nigerianised' the posts and this raised wider issues about the future of expatriate staff which led Lennox-Boyd to make a statement to the Commons in April supporting Pleass's actions and accusing Azikiwe of ignoring the policy agreed at the Lagos conference (see 263). The crisis led to the tabling of a no-confidence motion against Pleass in the House of Assembly, though the motion was not debated. Whatever the constitutional position, undoubtedly the Eastern government had much public support on this issue and their actions were echoed in moves by the Western Region government at this time to freeze expatriation pay for vacant posts.]

As I told you in a previous letter, it was decided that the House of Assembly should meet again on May 11th to deal with the legislation which was unfinished as a result of the sudden adjournment of the House at the end of March.

When the motion of 'No confidence' in myself came before Executive Council (as you know, all motions have to come before Executive Council to decide what line Government is going to take) the Premier said that since the Mover of the motion would not be present at the meeting of the House, consideration of the motion should be deferred *sine die*. So the motion has not been put down. This is what I expected.

No new Bills have come before this meeting of the House.

It is significant that the two most prominent members of the Opposition, Ikoku and Arikpo,² have not appeared, and so far the House has been almost uninterested in anything put before it; it has simply acted as a rubber stamp. But there may be a lively debate on the Local Government Bill.

I shall be sending you shortly a copy of a Bill to enable a University to be established in the Eastern Region. I hope to get a copy of this sent to you officially. The Ministers were quite determined to have this Bill and to have it without adequate consultation with other interested parties. There is, of course, no need for a Bill at this stage, but they insisted on having one. One significant thing was that the original draft made provision for two representatives of the Inter-University Council

¹ Principal, CO, 1948–1954, 1955–1959, ass sec, 1959–1961; CRO, 1954–1955.

² Alvan A Ikoku, former leader of the UNP and Okoi Arikpo, former Federal minister for lands, survey and local development, expelled from the NCNC in the 1953 crisis.

to be members of the Council of the University, but they would not have that and cut it out when the Bill was considered in Executive Council.

I do not know where the money is coming from, but in Zik's report on his Economic Mission last year which he gave to me on the 11th May and which is to be printed and laid on the table of the House in due course, one of his proposals was that £2½ million out of the reserves of the Region should be handed over to the Economic Planning Commission to be spent on a University.³ This, of course, has not yet been examined in the Ministry of Finance. There are many arguments that I shall bring forward against it.

Some time ago Zik proposed the establishment of an Economic Planning Commission, the idea of which was to be a body to advise the Government on economic planning in general. He used the International Bank recommendations to support the argument for it. I attach a list of the members of the Commission, none of whom is qualified in any real way in anything they propose to advise on.⁴ He now wants the Commission turned into a Corporation. I pointed out that we already had a Finance Corporation, a Development Corporation and a whole host of other Corporations, and it seemed to me that it would be impossible to prevent the functions of these Corporations overlapping. What, therefore, was the need for an Economic Planning Corporation? I further mentioned the question of funds and asked where they were coming from. His idea of the functions of the Economic Planning Corporation is to undertake mainly constructional work which Executive Council has already approved. The example Zik gave was that Executive Council has already approved the building of secondary schools in each Division of the Region; he said that it would be quite impossible for the present organisation of Government—that is the Ministry of Development and P.W.D.—to undertake this since they had not got the staff and there were always interminable delays. He therefore proposed that this work should be undertaken by the Economic Planning Corporation, and when completed should be handed over to the Ministry. I adhered to my objections and pointed out that all the reliable contractors were up to their eyes in work and that the formation of such a Corporation would not increase the building capacity; but to no purpose. They are quite determined to have the Corporation.

As I have said above, he presented me with a report of the Economic Mission on the evening of the 11th which, incidentally, has not been signed by L.P. Ojukwu, and which I feel sure has been drafted entirely by Zik. It will be interesting to know what Ojukwu thinks when he sees it. I can only describe it as a most astonishing document. I will send a copy as soon as I can get one made. In it, as I have already said, he suggests the handing over of £2½ million of the Regional reserves to the Economic Planning Commission. This sum is nearly half of our surplus. He goes on in the report to suggest that the Region should borrow the sum of £35 million. As you are aware, a Bill was passed in September, 1954, to authorise the Region to borrow up to £5 million. How he thinks we shall succeed in borrowing anything if our reserves are reduced by the amount and in the manner he suggests, I don't know.

³ In mid-1954 Azikiwe and Louis Odumegwu Ojukwu – from 1960 Sir Louis – a prominent Eastern Region businessman, member of the NCNC and member of the House of Representatives, 1955–1956, undertook an economic mission to Europe and North America to raise finance for investment in the region. For the proposal for a University in the East, see 298.

⁴ Not printed.

I shall, of course, point out all the objections when the report comes to be considered. In the report he also advocates numerous additional forms of taxation, but I need not set these out here because you will have an opportunity of reading the report for yourself. Much of it is probably only for purposes of political propaganda within the Region. But even if we succeed in getting the proposals drastically reviewed in Executive Council, it will frighten commercial firms and potential investors. I have not argued against it being published because I feel sure it will provoke a good deal of criticism which I hope will reinforce the criticism which I shall offer. That is, I think, the best way to tackle it.

I saw the D.00 of the Onitsha Province a short time ago and they made it quite clear to me to a man that when self-government comes in 1956 it is their intention to retire. In this connection, I am reliably informed that Eyo recently stated that the Party, while they wanted the senior officers to go most certainly did not want any of the junior officers to go. I am waiting until either the Deputy Governor or myself have seen a good many more people before addressing you on this subject. Mayne is now on tour and I am going on tour at the end of the month.

I should mention here that in one of our discussions Zik jokingly mentioned that some of his wilder men thought that the Government should spend all their reserves as soon as possible in order that they would not have any money to pay compensation for loss of career to officers who decided to leave the Service. The continued establishment of new Corporations, which will somehow have to be financed if they are ever to do anything, is leading me to think that there may be more to this than Zik originally gave me to understand. It is obviously a thing to be watched very carefully.

I am writing this just to keep you informed. The one good point is that it is unlikely that we shall have another meeting of the House of Assembly for some months and therefore they won't be able to introduce any more legislation for a bit.

I have drafted and shall be sending you shortly a 'chatty' despatch.

The High Court and the Magistrates Courts Bills have passed the House of Assembly.

Minutes on 294

Mr. Williamson

The Governor's letter at 8 raises some fundamental questions about the Eastern Region. As the poorest region of Nigeria government in the East will never be a popular exercise, since nowadays policy and finance are almost synonymous terms. But that government is now in the hands, not of responsible men who might try to make it work on a frugal basis, but of the most irresponsible demagogues in Nigeria. An accurate analysis of the chameleon-like character of Zik has never been possible but I think the inner policy of his Government may crudely be summed up thus:— 'We have little money in the East but can make a brave show by legislation. A multiplicity of legislation will keep many hands busy in, e.g. reorganising local government and administration, it will give a sense of action and will of course occupy the time of the Assembly. Meanwhile the creation of many corporations will give jobs for all the boys and also remove much direct responsibility for awkward affairs from Government proper. When the corporations go wrong (as no doubt they will) we cannot be blamed for their wrong doings or failure but can then intervene

and gain public support by reforming them. . . . The sober administration you British want pays no dividends in the bankrupt East and our show of action by talk and legislation must keep us in power until the next elections in the Western Region give us a chance of power in that wealthier part and then the 1956 Conference gives us an even greater chance (with the universal suffrage throughout Nigeria for which we will press) to bid for the leadership of all Nigeria and so (incidentally) get our hand back in the till which can pay for the East'.

2. I believe you have yourself felt that the Eastern Region is heading for an administrative breakdown which might come when the overseas officers left as they seem likely to after 1956; and that the question might then arise of a possible suspension of the constitution. The letter at (8) suggests that the pace of governmental folly is perceptibly quickening. Adverse comments on the proposals for a separate University in the East and for the Economic Planning Corporation discussed in paragraph 6 of (8) seem superfluous, Since his clash with the Governor over the Appropriation Bill Zik is clearly not susceptible to official advice however wise it may be and it seems that he may even be contemplating a deliberate run down of the finances of the Region to ensure that no money is available to pay compensation to overseas officers when self-government comes. From my limited knowledge I do not know of any case other than British Guiana where an elected colonial government has deliberately set itself to undermine the underlying assumption of an advanced colonial constitution—that an elected government will, within reason and within its lights, devote itself to the good government of the territory. But it looks as though Zik, either mentally out of control or driven by forces we do not fully understand (what intelligence have we of the really inner counsels of the Party?), may be prepared to wreck the finances of his Region before 1956 either without set purpose or with purposes on which we can only speculate.

3. The following questions seem to arise:—

(a) Can the Secretary of State who is still ultimately responsible for Nigeria properly stand by while the Government of the Eastern Region perhaps deliberately bankrupts itself? It might be possible to prevent this by the Governor, either of his own volition or on instructions from the Secretary of State, refusing his assent to bills which seemed financially unwise. But the difficulty of this course is that no particular measure brings bankruptcy. The effect of measures is cumulative and so it is difficult to know just where to make a stand.

(b) If a stand leading at least to a constitutional breakdown is to be taken the grounds for it must be clear and defensible to world opinion and financial grounds are perhaps less easily explicable than grounds of subversion.

(c) But if, perhaps because of the argument at (b) above, any stand which may be necessary is delayed beyond 1956 the administrative officers on whom would fall once more the burden of government might well be gone so that the possibility of such direct action would largely have gone with them.

(d) But if it is decided that financial follies are no grounds for a constitutional conflict are they not at least facts which would make it very difficult for the Secretary of State to defend to Parliament the deliberate grant in 1956 of self-government to a region whose politicians in power were known to him to be unreliable and irresponsible and to have little regard to the real welfare of their electorate?

4. These large questions are I know easily set down and I may be accused of prematurely crying 'wolf', but it is better to anticipate events than to stumble on them, and for the present I suggest we might make the following points in reply to the Governor:—

(a) We might ask him for an analysis of the course of action Zik is pursuing, of its possible motives and of the likelihood of something like bankruptcy if all Zik's contemplated legislation is put through; and whether this insolvency would become apparent before 1956.

(b) We might ask, assuming a real likelihood of insolvency, whether it would be better (if any choice exists) to let Zik have his head—apart from the normal advice the Governor would give him—so that his folly might become apparent, rather than try to halt him and maintain some stability of Government by the further exercise of the reserved powers.

(c) We might also ask, if the Governor thinks it is still possible to bring Zik back to saner courses, whether it would help if the Secretary of State interviewed him when he visits the United Kingdom in July and had a general policy discussion in the course of which some sober advice might be given.⁵ I mention this only as a possibility. In my view such an interview would not help if, as I think, Zik cannot stand up to the pressures in his own party—i.e. he just cannot keep a bargain—because such an interview might later hamper the Secretary of State's freedom of action if firmer action became necessary.)

M.G.S.
20.5.55

Mr. Gorell Barnes

Please see Sir Clement Pleass' letter at (8), and preceding minute.

I think a reply to it might go on the lines of the draft which I submit. The latter part of this draft embodies a view to which I have been coming in recent weeks. In point of fact, I first formulated it, as you may remember, nearly two years ago. Zik and most of his present Ministers are both (a) so unprincipled and (b) so incompetent, that I cannot at present, see any alternative. . . .

I might add that I have mentioned this view, as a purely personal and provisional one, to Sir James Robertson in the course of a discussion on a variety of topics. If it is agreed that the letter should go to Sir Clement Pleass more or less as drafted, then it might be as well if we were to let Sir James know that we had now put the point to Sir Clement Pleass and had asked him for his views.

T.B.W.
21.5.55

Mr. Gorell Barnes

In the light of our talk this morning I have expanded a little the last few paragraphs of this draft. If it is approved, you may prefer to sign it yourself in view of the nature of the issues discussed.

We should, of course, be setting a new precedent as regards the non-use of the

⁵ Williamson noted in the margin at this point 'I do not think such an interview would serve any useful purpose at all'.

reserved powers, and incidentally going back on what was said in the last paragraph of the recent Colonial Appreciation on Nigeria. I quote the relevant extract:—

‘... For though it is the United Kingdom Government’s policy, so long as it retains overall responsibility for the welfare and ‘good government’ of a colonial people, to govern by consent, not by force, and to leave local governments as free as possible to exercise their constitutional responsibilities, government by consent does not mean acquiescence in everything inexperienced Ministers may demand, regardless of the short- or long-term consequences for millions of semi-articulate people. So long as Parliament is in the last resort responsible there can be, and is, no compromise on major matters of fundamental principle.’

But the situation here seems to be unprecedented, or nearly so.

T.B.W
24.5.55

295 CO 554/846, no 18

26 May 1955

[New regions]: letter from Sir C Pleass to Sir T Lloyd considering the NCNC attitude to the creation of new regions

Thank you very much for the copy of your Secret and Personal Letter No. WAF. 16/3/09 of the 12th of May addressed to Marshall.¹ Before commenting in detail, I think I should give you some indication of the attitude of the two principal parties in this Region towards the revision of the present Federal structure at the 1956 Conference.

2. It is clear that the leaders of the N.C.N.C. will do their utmost, both before and during the 1956 Conference, to promote the dismemberment of the Northern Region. The following extract from Azikiwe’s presidential address to the recent N.C.N.C. Convention at Ibadan is relevant:—

‘If we must have a Federal form of government, then it must be true federalism, both in its structure and privileges. Not only must the co-ordinate members be approximately equal in size and population, but they must have two Federal Houses of legislature. The membership of one must be based on population, and the membership of the other must be based on absolute equality of representation.’

It is apparent, further, that the N.C.N.C. will probably give public support to the claims of the various ‘ethnic’ groups in the two Southern Regions for separate states. You may have seen Azikiwe’s letter to the ‘Economist’ of 30th April in which he expresses the view that separatism ought not to be equated with political immaturity. This has been taken locally as implying that there has been no change in the N.C.N.C. policy as described in the Party’s Election Manifesto of 1954. The relevant extract from this document is as follows:—

¹ See 293.

'The Regions as at present constituted should be divided into smaller states.

This arrangement will ensure economic interdependence of the parts and political unity of the whole.

Any minority group having the financial and human resources to run an efficient state government will be entitled to do so; the danger of any one group dominating another or of one Region dominating the Federal Government and thereby endangering the security of unity of the country will be removed.

This plan is in consonance with the N.C.N.C. policy of self-determination which respects minority interests.

No Region or State shall have the right of secession.'

3. You may by this time have heard from Eastwood that in the course of his recent visit to Enugu, Mbonu Ojike² said to him (and subsequently told me) that in 1956 the N.C.N.C. would press for three main objectives: (1) the creation of eight States, four from the Northern Region and two each from the East and West; (2) a uniform electoral law, and (3) full Dominion status for the Federation. The Party would, he said, be quite satisfied if they achieved any two of these objectives.

4. There can, I consider, be no doubt that in 1956 the N.C.N.C. will press for the division of the existing Regions and for a stronger Federation. How insistent they will be is a question to which there can at present be no certain answer; but there are some indications that this is not a matter concerning which they will wish to make a 'last ditch' stand. On two occasions recently E.O. Eyo, the Government Chief Whip, has stated in conversation that while the N.C.N.C. would advocate the establishment of additional States, he considered himself that the North would never agree to this. In this event, he said, the N.C.N.C. would certainly not agree to the further division of the two Southern Regions. My own view is that they will use it in an attempt to secure the division of the North into two or more states, but that if the North prove adamant, then the N.C.N.C. will drop it. If oil were discovered in commercial quantities in the Calabar Province, this would be a powerful inducement to the Ibos against creating a separate Calabar State.

5. The policy of the U.N.I.P. in this matter is little different from that of the N.C.N.C. It is interesting to note that at a recent meeting of delegates from the Ogoja, Rivers and Calabar Provinces to consider the question of a separate State for these areas, both the U.N.I.P. and the N.C.N.C. spokesmen were present and, apparently, in agreement on the need to create a separate State.

6. As regards the specific points raised in your letter, I have the following comments.

7. The argument that the administrative machine would not stand another upheaval (paragraph 3 of your letter) is valid. It is, however, a matter of some doubt

² Mazi Mbonu Ojike, member of the NCNC, former deputy mayor of Lagos; Eastern Region minister of works, 1954; Eastern Region minister of finance, 1954-56; found guilty of corruption by Ikepeazu commission, 1956; died 1956.

how much of the administrative machine will remain after this Region is granted self-government. In this connection, I suggest that the views expressed in my Secret and Personal Letter No. A. 221 of the 26th May in reply to Sir Charles Jeffries' Top Secret and Personal Letter of the 9th May should be considered in conjunction with this letter. In any event, I do not consider that the argument would be a good one to use in this connection as it would almost certainly be misunderstood and regarded with considerable suspicion by the political leaders. They would, I feel sure, take the line that political decisions are decisions which should be taken on political grounds alone and that the capacity of the administrative machine to implement those decisions is not a matter to be taken into account when arriving at them.

8. Regarding paragraph 4 of your letter, I think it would be wrong to underestimate the strength of the N.C.N.C. Party feeling on the subject of the present Northern preponderance in the Federation. They are sincerely convinced that the present Federal machine requires adjustment, and in this connection it is well to remember that the more forceful N.C.N.C. leaders, who were educated in the United States, are better acquainted with the American Constitution than with the Federal Constitution of any British Dominion. These leaders regard the present arrangements as manifestly unfair to the South and they will never agree to their continuance. What they would really like, I think, would be to create numerous small states with powers less than those of the present Regions, and a strong Federal Government. But rather than accept a continuing Northern predominance they would probably, if successful in the Western Regional elections and if the North will not agree to a split, press for an independent Southern Nigeria and withdraw from the Federation.

9. While it will be possible to justify refusing to support any split in the North in view of Northern opposition to such a split, it will be difficult for H.M.G. to resist the demand, which the N.C.N.C. will certainly make and which the North will find it very hard to accept, for an electoral law uniform throughout the Federation.

10. I agree with the suggestions contained in paragraph 5 of your letter and with the terms of the draft despatch referred to in paragraphs 6 and 7.

11. The extract from the Report of the London Conference which you quote in paragraph 8 of your letter—'All shades of political opinion' will have to be 'adequately represented'—raises difficult problems. The main problem is how the great mass of the population is to be adequately represented. There is little doubt in my mind that the majority of the Nigerian people remains quite ignorant of the decisions which the political leaders are seeking in their name; and furthermore, I consider that were they to realise the full implications of these decisions, they would wish to repudiate them. Can such an attitude of mind, apathy based upon ignorance, be described as a 'political opinion'? I feel that it can and should be so described; but how such an amorphous and negative point of view is to be given 'adequate representation' is a question to which I see no real answer.

12. In this connection, I consider that the precedent established at the London Conference (which was a departure from that precedent set at the Ibadan Conference in 1950), where only the leaders of selected political parties were invited to attend, was an unfortunate one—the more unfortunate since it is a precedent from which it will be very difficult to depart in 1956 without, at the outset, antagonising most of the political leaders. The inference to be drawn from the London Conference

precedent is that only political parties can hold political opinions; if this inference is accepted, then it is clear that only political parties should be invited to send representatives to the 1956 Conference. But if this line is taken, it should be clearly realised that, whatever it may be in name, the Conference will not in fact be representative of the Nigerian people.

13. It is in the light of these considerations and in the knowledge that the main political parties are, internally, far from democratic bodies, that I suggest that rather more thought might be given to the connotation of the word 'political' in this context. Whilst I appreciate the difficulties in inviting such bodies as A.N.T.U.F. to send representatives, I cannot but feel that these difficulties ought to be faced in an attempt to achieve a somewhat less blatantly unrepresentative Conference. Other bodies which might be considered in this connection are the various Tribal and State Unions.

14. The arguments which you advance in paragraph 9 of your letter in favour of holding the Conference in Lagos rather than London are in my view, valid. There are disadvantages in selecting either place, but I agree with you that on balance these are less formidable in the case of Lagos.

15. As regards the question of timing, I agree that there are signs that the N.C.N.C. leaders would view with satisfaction rather than distress, the postponement of the Conference. They will not admit this, however, and certainly they will never agree publicly to a postponement in the face of the Action Group pressure for promptness.

16. I am addressing you separately on the subject to which you refer in paragraph 10 of your letter. I would, however, point out as a further argument for holding the Conference promptly in the summer of 1956, that many civil servants in this Region are already inclined to the opinion that some politicians here may attempt to delay the payment of lump-sum compensation. Conditions of work are becoming increasingly unattractive and difficult—for some even intolerable. This may not, of course, be by design; but the suspicion is growing that there may be a deliberate attempt to force the retirement of as many civil servants as possible before the date on which they become entitled to compensation. The line of thought is clear; the longer this date is delayed the more officers will have departed before it, and the compensation bill for the Region will be correspondingly less.

17. Referring to paragraph 11 of your letter, while I agree that the question of reference back to the various Legislatures concerned may reasonably be left until the Conference has met, I must enter the caveat—so far as this Region is concerned—that such a reference back would be very unlikely to serve any useful purpose. To say that the Eastern House of Assembly is a mere rubber stamp for N.C.N.C. Party decisions is an exaggeration; but it is an excusable exaggeration and one which departs but a little from the truth. All that could be expected from a reference back to this Legislature would be a few weeks' delay.

18. In conclusion, I should like to say that in my opinion the 1956 Conference will be much tougher in every way than those of 1953/54, and that there is everything to be said for the Colonial Office team making themselves thoroughly well acquainted with the atmosphere in Nigeria before the Conference starts.

296 CO 554/1181, no 12

30 May 1955

[Eastern Region crisis]: letter from C G Eastwood to Sir C Jeffries on morale among administrative staff in the Eastern Region. [Extract] *Minute* by M G Smith

I fear I find the position about Administrative Staff in the Eastern Region very depressing.¹ The position in the North and in the Cameroons and the Federation is not nearly so bad and does not, I think, call—yet—for any special measures by H.M.G. Anything done for the East or West will have its reflections on the morale of the Service in the rest of the country. I have not yet been to the West but I take it that the position there is more or less analogous to that in the East.

2. I discussed the position in the East with the Governor, Deputy Governor (Cuthbert Mayne), most of the Permanent Secretaries, four Residents, and a number of Administrative officers, from the most senior to the most junior, including one African. I have not yet discussed it in Lagos but intend to show this letter to H.E. and Grey and I will add a postscript thereafter.

3. The political situation in the East is roughly this. Zik is unpredictable and does not tolerate readily as political colleagues men of stature who might compete with him. Apart from him, nearly all the Ministers are knaves or fools. Zik is leading not the 2nd XI but a very poor 3rd. There are better men but at present they do not make their influence adequately felt. Some of the best went into opposition a couple of years ago—Arikpo, Njoku and Nwapa. Others will not take part in politics because, (a) they will not descend to the bribery and corruption which at present go with politics, and, (b) they fear that if they did not toe the line with Zik they would be victimised and ostracised. Few if any of the better men have much moral courage, nor for that matter has Zik himself. There are one or two small signs of improvement—there is a faint hope that Ojike, the Minister of Finance, one of the worst of the Ministers, is on the way out—but they do not as yet amount to much.

4. Meanwhile, Ministers proceed on a career of folly—planning universal primary education, estimated to cost in a few years £10 million a year (the present total budget of the Region is around £7 million); putting new powers on to local government institutions (a good idea in the abstract) before they are ready to bear them (the Councils of I think three major towns have recently been abolished for corruption and maladministration) and so on and so forth. Direct taxation is not coming in because it is now the responsibility of local authorities to collect it and they have not the efficiency or the courage to do so properly.

5. In the districts the administrative officers see the general standard of administration collapsing, bribery and corruption rife, themselves cold-shouldered, their travelling allowances cut so that they cannot properly get round their districts and indeed with the threat of disappearance, at least of Residents, hanging over their heads. At Enugu the situation is even worse. The permanent Secretaries suffer from the same things as the men in the districts but more intensively because they work at close quarters with Ministers. They also find themselves being asked to do things

¹ Pleass estimated, perhaps over-pessimistically, that 60–70 per cent of expatriate officers in the Eastern Region public service would take the opportunity to retire when the Region gained self-government (CO 554/1181, no 10, Pleass to Jeffries, 26 May 1955).

which they find it hard to reconcile with their consciences. As one of the nicest of them said, it is really at bottom a moral question.

6. A few are going in October—the Permanent Secretaries for Finance (Cook), Education (Stevens) and Trade (Lawrance), and on the technical side the Director of Education (due to retire in any case) and two senior men in his department, the Chief Conservator of Forests and the Accountant-General. But in general most are holding on to see what 1956 brings forth and hoping for the lump sum compensation which they would get on the grant of Self Government—which they think would be worth more than the additional allowance to pension for which they qualify this October.

7. We have therefore a certain time (but see para. 22(b)). Even if the 1956 Conference does result in the grant of limited Self Government to the Regions, it will be at least the end of the year before the new constitutional instruments can be prepared and come into effect. So we have a year and a half before the crucial time. But all the time the morale of the Service will be going down; men will be getting more and more worried about their future and many will make up their minds on their next leave whether to stay on after independence or not. . . .

Minute on 296

The draft opposite is largely self-explanatory. Sir C. Pleass's recent repeated references to corruption suggested to me the possibility that proof of this might be found and so Zik and his Ministers if necessary discredited in this way. If this were possible it would, I think, be far less likely to provoke distrust of the U.K. in Nigeria as a whole and the criticism of world opinion than would any suspension of the constitution because of inept government. But to some extent such a move is a potential boomerang because if a commission of enquiry were appointed and a case was not proved the position of Zik and his Ministers would be strengthened. It seems to me well worth an enquiry of the Governor.

2. I should also like to make a more general though less immediate point about this most difficult situation in the East. Mr. Lyttelton in August, 1953, promised on behalf of H.M.G. full self-government in 1956 to the Regions which desired it in respect of matters within their competence etc. This declaration in terms was unconditional but it seems to me clear that no human declarations are in fact unconditional. If, for instance, a wholly anarchist, communist or fascist form of government emerged in any or all of the Regions H.M.G. would presumably not feel bound by this declaration. If then it is accepted that the declaration is not in fact unconditional but assumes the continuing existence of a certain degree of goodwill, good faith and good government on both sides the question then arises of where the line is to be drawn at which, the declaration is regarded as superseded by events.

3. If it becomes necessary on specific grounds to suspend the constitution in the East this difficult question of drawing the line does not arise. But if, as may well be the case, developments in the East are not so obviously corrupt or chaotic as to justify this step consideration must then be given to whether the Secretary of State could justify to Cabinet and Parliament here giving self-government in 1956 to a Regional Government whose ineptitude and dishonesty have been reported to him steadily for many months by the Governor. But if any question is likely to arise of

H.M.G. regarding the London declaration as having been superseded by events presumably this question could not first be ventilated at the 1956 conference. Warning of the possibility would have to be given well in advance. An appropriate occasion for doing this as non-controversially as possible might be an announcement in Parliament concerning agreement on the fiscal review which is being dealt with on other papers.

M.G.S.
9.6.55

297 CO 554/1078, no 10

31 May 1955

[Local government in Northern Nigeria]: minute by M G Smith on proposals to reform local government in Northern Nigeria

I am sorry that pressure of other work has meant that I have kept these papers for so long. The outstanding enclosures are the letters from the Governor of the Northern Region at (8) and (9).

2. Before attempting to analyse the Governor's very tentative proposals for the future of both local government and regional government in Northern Nigeria contained in these letters it may help to set out the ingredients of the problem:

(a) So far as local government is concerned power continues to reside in the hands of the traditional authorities. These traditional authorities, who are mainly Chiefs-in-Council or Chiefs and Council (as defined in the Native Authority (Definition of Functions) Law 1952) are as their name implies not elected bodies. In size they vary from the great provinces of the Moslem North such as Bornu, Kano and Sokoto to areas in the Plateau Province of just 200 square miles and of a few thousand inhabitants. The tendency is to further amalgamation of these Native Authorities and from the last figures available (contained in the Article in the April 1955 number of the Journal of African Administration) there were by the end of 1954 some 90 independent Authorities. Beneath these Authorities (who themselves are the superstructure of the building talked about by the Governor) there are a series of subordinate bodies, Village and District Councils and more recently Outer Councils. All these Councils are elective, the Outer Councils being chosen by the District Councils generally from their own number, and their functions are mainly advisory to the Councils above them, the outer Councils being advisory to the Native Authority itself. The Village Councils and District Councils also have supervisory responsibilities, a general responsibility for helping to maintain law and order, and some money to spend; but policy matters, the right to tax and the disposal of funds are all subjects for the Native Authorities.

(b) By contrast power in the Regional Government itself resides mainly with elected representatives. The Northern legislature comprises a House of Chiefs as well as an elected House of Assembly. The House of Chiefs is not inferior to the House of Assembly and its consent is required to all legislation, although money Bills can be introduced only into the House of Assembly. But the representative character of the House of Assembly, the reluctance of the first class Chiefs to step down into the full political arena and the presence of (comparatively) able men in the House of Assembly to fill most of the Ministerial posts (including that of

Premier) have meant that the Assembly rather than the House of Chiefs has become the seat of power. Some of the most senior Chiefs have accepted office as Ministers without Portfolio but the elected Ministers under a headstrong Premier have tended to ignore or over-ride them. The Chiefs who are not members of the Executive Council have hesitated to attack Ministers out of deference to the very senior Chiefs who have become Ministers without Portfolio. These conflicting factors have brought about a sense of frustration and a cleavage between the Chiefs and the elected representatives. The differences have very recently been temporarily bridged by unofficial meetings between both sides arranged mainly on the Governor's initiative but although the understanding so reached is valuable and to be welcomed it is no substitute for a constitutional solution of difficulties of this nature which may well occur again.

(c) This potential clash between the representatives of the elected Regional Government and of the traditional Native Authorities may be exploited at the 1956 Conference. At this Conference both the Action Group and the N.C.N.C. are likely to press for a division of Nigeria into a greater number of regions as the only possible solution to the present preponderance of the North over the other regions. The N.C.N.C. at least will also press for universal adult suffrage and single-stage elections to give the best possible chance to the inspired demagoguery of Zik to sweep the country.¹ The Governor fears that if the North has not put its own House in order and achieved internal harmony by a marriage of elected and traditional authority at all levels the Northern front may be split at the Conference and Southern views triumph.²

3. To meet this threat he proposes in outline to reduce drastically the number of independent Native Authorities to perhaps 15 or 20 in place both of the present much larger number of such authorities and of the present administrative structure of 12 provinces. These Native Authorities would be made into 'semi-autonomous' units on as democratic a model as local circumstances and local opinion will permit'. They would have 'constitutions' of their own which would be 'tied firmly into the Regional constitution' and they would be fully represented on the Regional legislature and thereby on the Executive Council of the Region.

4. These proposals have the following advantages:—

(a) the Chiefs-in-Council who are at present only advised by elected bodies would be 'democratised'—though to an extent and in a manner which is unspecified.

(b) This pill for the Native Authorities is however sweetened by the enhancement of their status which the proposals as a whole would involve.

(c) The new large Authorities which the Governor calls 'state units' would have no conflict with the Regional Government as they would be directly represented on it.

¹ In the Northern Region, unlike in the rest of the Federation, the 1954 House of Representatives elections had been indirect and the franchise had been restricted to adult males. Only in some urban areas had the election been direct.

² Earlier in 1955 Sharwood-Smith had noted: 'I have always felt, and still most strongly feel, that a united, sane and confident North is essential to the Federation. Equally, an apprehensive and resentful North baited by externally sponsored minority organisations, could be capable of political acts of desperation, the effects of which would be disastrous for Nigeria' (CO 554/1078, no 33, Sharwood-Smith to Williamson, 20 Feb 1956).

(d) If these proposals were all successfully implemented the chief dangers to the unity of the North would disappear—the gap that has opened between Ministers and Chiefs, the tendency to isolation of the Chiefs-in-Council in an increasingly elective world and the frustration in the non-Moslem Northern parts of the Northern Region which have led to the separatist tendencies and the splinter parties that have appeared there.

5. Under these proposals the present provinces of the Administration, each with its Resident, would disappear and the Administration would be represented in each of the new state units which could themselves employ their own overseas staff. Again the Governor does not try to elaborate proposals which would obviously have far reaching consequences on the public service of the North and which incidentally would appear virtually to fuse local Government Services with the Regional Government Service.

6. These proposals raise some very large questions:—

(a) How would the Native Authorities become democratised state units? The Governor does not suggest how far his ideas might prove acceptable to the first class Chiefs; for them to be acceptable to a wider world and defensible to Parliament here the democratisation of these new units would have to be more than window dressing.

(b) To what extent could the proposals be implemented under existing law by further amalgamation of Native Authorities, a realignment of provinces and a devolution to these new large Native Authorities of as many as possible of the powers and responsibilities of the Regional Government? (Under the Native Authority Law, 1954 a wide range of responsibilities can be assigned to the Native Authorities. The extent to which they are in practice assigned is presumably governed as it is elsewhere in Africa by the ability of the Native Authorities to discharge them).

(c) How would these state units be tied in to the Regional Government and represented on it? Would it be by the election or appointment of so many members from each state unit to the Regional legislature and would this mean that there was no separate election for this legislature? Would it also imply the disappearance of the House of Chiefs and the deliberate entry of the Chiefs themselves into politics by this means?

(d) What timetable is envisaged for the changes? Is this a plan to be accepted locally now and steadily implemented or simply a possible blueprint for bids to be made by the Northern Representatives at the 1956 Conference?

(e) What division of powers would there be between the state units and the Regional Government?

7. There are also some large potential snags:—

(a) in practice the proposals might lead to very expensive and top heavy administrative arrangements if each semi-autonomous state unit had its own overseas staff and its own separate arrangements for the many expert services the Regional Government at present provides.

(b) Should not these proposals as a whole be regarded as an over elaboration of what could largely be achieved under existing law with reformed Native Authorities?

(c) Would not the proposals play into Zik's hands?³ Could he not plausibly ask why these state units needed to be tied into a Northern Government at all and argue instead that they should be tied direct into the Federal Government and (by what ever name they were called) themselves treated as Regional units in the Southern policy of fragmentation? Zik might argue that if the state units were not so treated the Northern proposals would simply lead to the confusion of a Federation within a Federation.

8. The proposals are in fact so very much in outline that no judgement on them can yet be offered. I confess that my initial reaction to them was unfavourable as they seemed theatrical and over elaborate. But after further study I am not sure that, provided the questions and difficulties such as those set out above can be dealt with satisfactorily, they do not offer a sure and subtle basis for the continuation and acceleration of reform in the North, in collaboration with the traditional authorities, which is necessary if a united North is to hold its own against the aggressive and unscrupulous South. We might ask the Governor to develop his ideas (copying them to the Federal Government which seems not to have received a copy of (8)) and in particular ask him about the timing he has in mind. It appears from (4) that in some form or other the ideas have already been put to the Premier and to Abubakar who received them favourably. I think it is important to know fairly soon whether the Governor contemplates implementation before the 1956 Conference—if he has already got to the stage of talking about his ideas to Ministers—or has it in mind that the Northern Representatives at the 1956 Conference, whether or not they claim full regional self-government, should ask for the implementation of the proposals perhaps as Regional matters to be discussed solely between them and the Secretary of State. We must I think be careful that the good faith of H.M.G. in entering into the 1956 Conference without commitments is not impugned by accusations from the South that the arrangements for about two-thirds of Nigeria have been made in private with the North in advance of the Conference.

³ Williamson noted in the margin at this point: 'and Awolowo's: he is just as keen on splitting the North'.

298 CO 5541181, no 11

3 June 1955

[Eastern Region crisis]: letter (reply) from T B Williamson to Sir C
Pleass on the no confidence motion in the Eastern House of Assembly

Many thanks for your secret and personal letter (GE: A. 167) of the 14th May.¹ I would like to comment, if I may, on one or two detailed points, and then to make a general one.

2. We are glad that the motion of 'No confidence' in yourself has been deferred *sine die*.

3. As regards the proposed University in the Eastern Region, the idea seems quite nonsensical, anyway at this stage; and I think we ought to warn you straight away

¹ See 294.

that the I.U.C. may not be prepared to advise on the draft Bill.² We have not, of course, mentioned this matter to them but we think it quite likely that their line, if and when consulted, would be that until decisions have been worked out, after full consideration of all that is involved in such matters as proposed qualifications, relationships with other academic bodies, size and scope of the proposed institution, etc., etc., it is pointless to legislate.

4. Economic Planning Commission. The International Bank Report³ lends no support to the sort of body which Zik intends to set up. The Bank recommended that Regional Economic Committees (of Ministers) should be set up to determine economic policy. They did not suggest that these Committees should have executive powers. It is implicit in the Bank's recommendations that statutory Corporations should undertake 'quasi-commercial' operations only, and the idea of having a Corporation, ostensibly for 'Economic Planning' and also for P.W.D. work, is ridiculous. Pages 48 and 55 and 56 of the Lagos print of the Bank's Report are relevant. Incidentally, the list of members of the proposed Commission was not enclosed with your letter. (I have now received your further secret and personal letter (GE: A. 167) dated 19th May with the news that both the University and the Planning Bills have been passed. We can give further thought to these two measures when you send them in formally.)

5. We are sure that you are right, if I may say so, to take seriously the suggestion that the Government may use up all their reserves so as not to leave money to pay compensation for loss of career to officers who decide to leave the Service. It would no doubt be necessary for you to use your powers well before that stage was reached. And this brings me to the general point.

6. Your letter, and other pointers in the same direction, seem to give grounds for the conclusion that the continuance in office of Zik and most of his present Ministers is bound to lead to chaos in the East sooner or later. We hope that is a wrong conclusion but if you agree with it (and we would ask for the frankest expression of your views) then would it not be better in the interests of the people of the Region—and it is their interests which must be paramount—that the inevitable chaos should come while H.M.G. are still constitutionally able to suspend the constitution? (We do not think that something 'more than chaos', e.g. an element of Communism, would necessarily be required before H.M.G. would consider suspending the constitution, as you appear to suggest in paragraph 5(b) of the first enclosure to your top secret and personal letter (GE: A. 221) of 26th May to Jeffries). Since H.M.G. could no longer do

² On 18 May 1955 the Eastern House of Assembly voted to establish a 'University of Nigeria' in the Eastern Region. NCNC policy was to encourage the creation of such a University, given the need for qualified graduates and given that University College, Ibadan (see 27) was unable to admit all the potential students it might have taken from the East. The CO was unhappy at this proposal however, not least because of the costs involved, and because of the knock-on effect on the North which would be likely to want its own university in turn. In Feb 1955 indeed, a proposal had emerged for a university to be established in the North with Zaria suggested as a likely home; this had been accompanied by the expression of regret that the first University College had been established in Ibadan rather than somewhere 'neutral' like Lagos or Jos (CO 554/1378, no 7, Feb 1955, 'Proposals for establishing further University Colleges in Nigeria': note by Shaw). A further factor in CO concerns however, was the intended title of the eastern University, which, it was felt, would be unacceptable to the other regions (CO 554/1109, no 14, Eastwood to Pless, 8 Aug 1955).

³ The World Bank report on the Nigerian economy was published in Sept 1954. See 243.

that once they had relinquished control as they will do when the Federation as a whole becomes independent (correspondence ending with my secret and personal letter WAF 16/3/016 of the 13th May refers) the problem can be narrowed down to the straight issue whether (assuming your view to be that suspension is virtually bound to come) you should continue to do your utmost to delay it or should stand more aloof in the expectation that it may thus have to come (preferably before regional self-government) at a stage when there would be a reasonable prospect of there being still enough British officers left to enable something like orderly government to be carried on during the period of suspension.

7. This is a vital and far-reaching issue. Amongst other things it would affect the basis on which you would consider the use of your reserved powers in future. There might well still be occasions when they would have to be used, for example to safeguard the position as regards the compensation to be paid to public servants. But short of such an extreme case perhaps the powers should not be used, however strong the temptation to use them in the face of foolish or dishonest, or even 'undemocratic', proposals from your Ministers. You might stop short at offering advice and warning. The fact that you did so advise or warn should be some defence at any rate against any public criticism here that you did not use your powers in the interests of 'good government', etc., when you might have done, and the Secretary of State could say that with (regional) self-government so near, Ministers must learn by their own mistakes.

8. We should like you to think all this over very carefully, and when you have had time for reflection, to let us have your considered assessment in the form in which (i.e. s.o. letter or memorandum) you would like it to be laid before the Secretary of State to whom this particular aspect of your troubles has not yet been submitted.

9. This is a matter which is of obvious interest to the Acting Governor-General and to the other two Governors. I am not however copying this letter to them as they will not (I assume) have seen your letter to me. We should be glad, however, if you would arrange to keep them informed—perhaps by copying to them your reply to me with such extracts from this letter as are appropriate.

10. I might add that I mentioned to Sir James Robertson, shortly before he left, how our minds were moving on this, but when I spoke to him this letter had not then been approved.⁴

⁴ Robertson arrived in Nigeria to take up office on 15 June 1955.

299 CO 554/838, no 49 14 June 1955
[COR Region]: despatch no 150 from Sir C Pleass to Mr Lennox-Boyd
on demands for a COR Region. *Minutes* by M G Smith and T B
Williamson

I have the honour to forward herewith a petition addressed to you from various members of the Calabar Community and the President, Secretary and members of the Efik State Union Secretariat.¹

¹ Not printed.

2. The petition was intended to be presented to you on your recent visit to Nigeria, but this did not in the event prove possible.

3. The petitioners request that they be granted a separate State in the forthcoming Constitutional amendments. They wish to join with the peoples of the Ogoja and Rivers Provinces to form a member State of the Federation of Nigeria with its own legislature. This State should be known as the 'Calabar Ogoja Rivers State'.

4. The petitioners state that at present they form a racial minority in the existing Eastern Region and fear oppression. Furthermore, being a minority, they suffer from lack of social services. The petitioners appreciate that the question of finance is important and will need to be discussed in detail.

5. The Premier of this Region has seen this petition and has expressed the following views:—

'The Constitutional Conference will be competent to deal with the points raised, but the Secretary of State may be informed that, so far as we are concerned, we support the grouping of people of same linguistic stock, provided the minorities concerned agree to be so grouped'.

To this the Premier adds:—

'If there must be fragmentation, then it must be done on the principle of self-determination based on linguistic grouping and viability. Therefore, we are not opposed in principle to the creation of separate 'States' or 'Regions'. Incidentally, there are 72,269 Efik people compared to 747,418 Ibibio, 435,210 Annang, 123,404 Oron, 20,727 Biase, who will form the Calabar State-tobe'.

6. I have little to add. I agree with the Premier that it is a matter which the 1956 Conference will be competent to discuss. The petitioners give notice of intention to raise the matter and require no immediate action. I suggest that a reply be sent stating that opportunity will be given for discussion of this and similar problems at the 1956 Conference.

Minutes on 299

As the Governor says the petition opposite does not ask for any immediate action. It suggests in paragraphs 2 and 3 that the petitioners will in due course be following up the present petition with other representations. I agree therefore that the reply can be sent in the terms suggested by the Governor.

It is amusing to note that Dr. Azikiwe's comments on the petition do not extend to rebutting the accusation of dictatorship.

M.G.S.
27.6.55

It has taken a long time for this petition to get here. The delay is possibly due to procrastination on Zik's part, and also to his growing perplexity on the problem of fragmentation. The latest N.C.N.C. thinking on this seems to add up to a desire to 'fragment' the North, but not the East or West.

?Reply as proposed.

T.B.W.
28.6.55

300 CO 554/1181, no 13 16 June 1955
 [Eastern Region crisis]: letter from T B Williamson to Sir C Pleass
 asking for evidence of corruption in the Eastern Region

May I add a rider to my secret and personal letter of the 3rd June¹ about the possibility of chaos in the Eastern Region?

2. More than once recently you have referred to the 'dishonesty' or 'corruption' of the present Ministers. For example, paragraph 6(3) of the note attached to your letter (GE: A. 221) of the 26th May to Jeffries refers to the 'political and personal dishonesty' of Ministers, while paragraph 7 of your secret and personal despatch No. 10 of the 25th May says that 'bribery and corruption are rampant' and the last paragraph speaks of a 'gloomy picture of corruption, incompetence and wishful thinking'.

3. Can you be more specific about the corruption and dishonesty, especially on the part of Ministers? What actual evidence, if any, have you that they exist? If you have actual evidence, is it in your Attorney-General's view sufficient for him to institute proceedings? If, on the other hand, you have little or no actual evidence of corruption, would you consider it right and feasible for discreet police enquiries to be set on foot in an endeavour to obtain it? If such enquiries did produce a sufficient body of evidence, a public commission of enquiry might then be set up to hold formal investigations. (There might, I suppose, already be evidence which, while falling short of what your Attorney-General would require before starting proceedings, would justify the appointment of a public commission of enquiry). You will probably recall the commission of this kind which was set up in the Gold Coast in December, 1953, following the resignation of a Minister. Gold Coast Ministers, including the Prime Minister, were made to appear before this commission and its findings led to two Ministerial secretaries losing their posts.²

4. If the corruption which you regard as rife could be proved in the case of some of your Ministers, it should justify moves to secure their dismissal without perhaps the same risk of a general clash with the United Kingdom as would be entailed by more drastic measures such as a suspension of the constitution.

5. As with my letter of the 3rd June, I am not copying this to Lagos and the other Regional Governors but at this stage will leave you to keep them informed.

6. This, like the matters about which I wrote on the 3rd June, has not yet been submitted to the Secretary of State, and we should like, on getting your reply, to put it up to him before any action, such as the appointment of a public commission, was taken.

¹ See 298.

² J A Braimah, Gold Coast minister of communications and works, resigned in Nov 1953. See BDEEP series B, vol 1, R Rathbone, ed, *Ghana*, part II, 149.

301 CO 554/1181, no 14 22 June 1955
 [Eastern Region crisis]: letter (reply) from Sir C Pleass to T B
 Williamson on the possibility of an administrative breakdown in the
 Eastern Region. *Minutes* by M G Smith, T B Williamson, C G
 Eastwood, Sir T Lloyd and Mr Hopkinson

I am replying in this letter to Your Secret and Personal Letters Nos. WAF 103/352/01 of the 3rd June and WAF 103/352/01 of the 16th June, 1955.

2. I agree with what you say in paragraph 3 of your letter of the 3rd June,¹ and all that you say and a great deal more was pointed out to the Ministers, without avail. You must not forget that the educational ideas of the leading Ministers are quite different from our own. They received their education in America and are imbued with American ideas on education. As you know, Dr. Horace Bond, President of Lincoln University, visited Enugu last year. I have no doubt that conversations on the subject of the University took place then. I am told that both the Minister of Finance (Mbonu Ojike) and the Minister of Education (Akpabio) are anxious to pay a visit to America in the Autumn, but nothing definite has materialised yet. It may well be that the main object of the visit will be in connection with the proposed University in the East. I am trying to get definite information, and when I do I will let you know more. They are, moreover, in a hurry. In addition, they don't like the only University in Nigeria being in the West because they are, I think, worried lest if the Action Group win the 1956 election the West should attempt to secede. All these reasons go to explain their actions.

3. With regard to your paragraph 4, I quite agree that the International Bank Report gives no real support to a body such as the Economic Planning Corporation, but when you get the Bill you will see that I succeeded in getting it very largely emasculated. You say 'the idea of having a Corporation ostensibly for economic planning and also for P.W.D. work is ridiculous'. I agree that it is silly to have a Corporation for P.W.D. work, but the simple truth is that these people are not prepared to put up with the delays and frustrations that we had to put up with in the completion of the Ten Year Plan, and they are quite determined to get something done quickly. In addition, of course, they have other reasons, as we both know; but they were quite determined to have this Corporation, and it seemed to me that my best line was to endeavour to reduce its functions as much as possible.

4. With reference to your paragraphs from 6 to the end, you say that my letter and 'other pointers from the same direction seem to give grounds for the conclusion that the continuance in office of Zik and most of his present Ministers is bound to lead to chaos in the East sooner or later . . . then would it not be better in the interests of the people of the Region . . . that the inevitable chaos should come while H.M.G. is still constitutionally able to suspend the Constitution . . . the problem can be narrowed down to the straight issue . . . whether you should continue to do your utmost to delay it or should stand more aloof in the expectation that it may thus have to come (preferably before Regional self-government) at a stage when there would be a reasonable prospect of there being still enough British officers left to enable something like orderly Government to be carried on during the period of suspension'.

5. I have given very careful consideration to the points you make and my views can be summed up as follows:—

- (a) If self-government is granted to the Region at the Conference to be held in August, 1956, and if the great majority of British officers go then, chaos, or something very like chaos will occur within a period of two years from the grant of self-government. There would be a gradual running down of the machinery of

¹ See 298.

administration (by administration I mean all Government work) and the disruptive tendencies in various parts of the Region would make themselves felt; (b) there is not the slightest possibility of chaos occurring before the grant of self-government and while a considerable number of British officers remain in the Service. Zik is much too astute a politician to give us good grounds for suspending the Constitution, unless he himself wished us to suspend it, in which case it would clearly not be to our advantage to fall in with his wish. If it were his wish that the Constitution should be suspended, he would of course be delighted if we did that without adequate grounds for our action, since this would give him an opportunity to pose as a martyr not only before his own people but also before America and India; (c) I am in entire agreement with the view that they will only learn by their mistakes, and therefore if the people of the Region are to realise what they are in for when self-government comes, it is inadvisable to use reserve powers, unless absolutely necessary, and you may rest assured that I shall bear this in mind. I would not go so far as to say that reserve powers should never be used 'however fallacious or dishonest or even undemocratic the measures which the Ministers may wish to use', because if the action proposed is too bad and reserve powers were not used, faith in us would be lost both by those members of the general public who dislike the idea of self-government and by the Service as a whole. However, as I have said above, Zik is too astute a politician to adopt a course of action which cannot be made to appear to the mass of the people and to much of the outside world as being in the interests of the people. He has undoubtedly lost some ground politically during the past six months and he must know that many of the policies which he and his Ministers advocate are quite impossible of bringing to a successful conclusion; he is further well aware of the uselessness of many of his present Ministers, though he won't change them yet; for all these reasons it may be that he will recommend some course of action with the intention of trying to force me to use reserve powers and give him an opportunity of resigning. We can only wait and see;

(d) of one thing I am sure, that after H.M.G. had given them the 1954 Constitution and had promised any Region which wanted it—subject to certain conditions—self-government in 1956, it would be the reverse of astute for H.M.G. to suspend the Constitution unless the conditions prevailing were such as eminently to justify suspension, and I do not for a moment believe that these conditions will exist before the 1956 Conference. There is, of course, already a slowing down of the administration and a decline in efficiency; but that is quite a different thing and was only to be expected with the increase of Nigerianisation and the greater centralisation insisted upon by the Ministers.

6. On the subject of bribery and corruption, the reference in the 'Chatty Despatch' to a 'gloomy picture of corruption, incompetence and wishful thinking' applies, of course, not only to the Ministers but also to the position in this Region in general. I think you probably fail to realise to what extent corruption does exist.² I am sending you with this letter copies of the Reports of the Inquiries into the Aba U.D.C. and the Onitsha U.D.C., and these will give you a very fair idea of what goes on in Local Government.³ But the real extent to which corruption goes on can perhaps

² Williamson noted in the margin here: 'I certainly don't!'

³ Not printed.

best be exemplified by the fact that in many hospitals a nurse will not even give a patient medicine until a bribe is offered. You will be interested to know that not long ago a senior Nigerian civil servant in a friendly talk with me over a drink said, 'Of course I can buy justice in three large towns in this Region'. He meant that he could buy justice from the African Magistrates.

7. We are well aware of this and are doing everything possible to stop it. Last year twelve policemen were convicted for accepting bribes, 18 were acquitted and 11 are awaiting trial. Reliable evidence is, however, extremely difficult to get. I was discussing with the Senior Superintendent of Police, Owerri Province, only on Saturday morning a case in which they are perfectly certain that a Nigerian Assistant Superintendent of Police, in one place in that Province has been taking bribes. But as soon as the investigations began all the witnesses against him were silenced. The Senior Superintendent told me that he estimated that it cost the Assistant Superintendent £2,000 to silence all the witnesses against him.

8. With regard to Ministers, there have been numerous occasions on which there has appeared to be some evidence of corruption, but on investigation no real evidence has been forthcoming. Ministers, of course, constantly endeavour to interfere in appointments and push their own people, not only for Senior Service appointments but for Junior Service ones also. Moreover, they travel an inordinate amount and spend a great deal of time in their constituencies. In respect of this travelling they claim transport and travelling allowances, and it is well known that in fact, particularly during their visits to their constituencies, they are not properly engaged on ministerial duties. Occasions have arisen when there has been very strong suspicion that transport claims have been made when in fact the journeys have not been carried out. It is extremely difficult, indeed almost impossible, to obtain reliable evidence in such cases. Don't think that attempts are not made to get reliable evidence because they are, but the difficulties are very great indeed. The Premier is aware of what is happening, and in a long talk which I had with him recently he assured me that he would see that it stopped. I took this opportunity again to press him to change certain of his more inefficient Ministers.

9. I am quite sure that it is only public opinion which will really stop dishonesty and corruption, just as it was only public opinion that really stopped it in England.

9. [Sic] You say, 'If such enquiries did produce a sufficient body of evidence, a public commission of enquiry might then be set up to hold formal investigations'. Before any such commission could be set up, there would have to be a great deal of evidence that could be put in front of that commission. So far we have not got it. I will say here and now that I have no faith in public commissions of inquiry in this country. I know from personal knowledge that by no means all of the truth came out in front of the Aba Commission of inquiry or the Enugu Commission of Inquiry into the 1949 incident, and I do not believe that the truth will ever come out in front of commissions of inquiry unless (a) the Commission is determined to ferret out the truth and (b) the Commission has its own Counsel to ferret things out for it and every individual who appears in front of it also has his own counsel, which would mean that counsel would have to be paid from Government funds. One factor, which is of tremendous importance and which I think there is a tendency on your part to under-estimate, is the fact that while expatriate officers can leave Nigeria, Nigerian officers and Nigerian witnesses have got to continue to live in Nigeria. This is a factor or really tremendous importance.

10. Wherever the Police have concrete evidence, the papers are always sent to the Attorney-General, and if he so orders, a prosecution will invariably be undertaken. You will be interested to know that papers are now going to the Attorney-General which contain evidence which seems to show that the Minister of Finance [M.M. Ojike] committed perjury in the Magistrates Court in Orlu. Whether or not there will be a prosecution is, of course, a decision solely for the Attorney-General. Copies have been sent to the Governor-General and other Governors.

P.S.

You will be interested to know that the Premier, as Minister for Internal Affairs, has agreed that all Administrative Officers, Residents included, should be made Local Government Commissioners, etc., in the Division or Province in which they are stationed, and has agreed to delegate to them wide powers under the Local Government Ordinance.

Minutes on 301

Mr. Williamson

Mr. Eastwood

Since the new constitution came into force we have had a series of increasingly depressing letters and despatches from the Governor, East, about the conduct of affairs by his N.C.N.C. Ministers. These are the general letter at (2) here, the economic nonsense described at some length in (8)⁴ (together with the reference to a possible deliberate running down of financial reserves so that no compensation for loss of career could be paid to the Public Service), the letter to Sir C. Jeffries at (10) and in particular the section headed 'Reasons why officers go', and the despatches in the printed series at WAF 97/493/01 below. These reports, the clash between the Governor and Zik over the Appropriation Bill and the Local Government scandals, give us a general picture of untrustworthy and incompetent Ministers unwilling to make a genuine attempt to work the constitution, indulging in policies likely to end in bankruptcy and alienating the Public Service. In the letters at (11) and (13),⁵ the Governor was therefore asked whether, if in his view chaos was inevitable, it would not be better to contemplate avoiding this by an early suspension of the constitution while British officers still remained to carry on the Government.

2. The Governor's reply is at (14). On the special point of corruption raised at (13) he says that the reports of corruption are being pursued wherever possible but the usual difficulty of obtaining evidence from bribed or frightened witnesses is being met. The main passage in his letter is paragraph 5 and here he says that if self-government is granted to the Region at the 1956 conference and most overseas officers choose to go chaos, or something like it, will occur within two years; but that there is no chance of chaos before self-government and while most British officers remain, and that Zik is too wily a politician to give genuine justification for suspending the constitution unless he wanted it as a political objective. It always seemed likely that this would be the Governor's advice and I think we can accept it without hesitation as sound. This therefore means that there is no question of a suspension of the constitution before 1956 short of sudden and grave scandal or

⁴ See 294.

⁵ See 298 and 300.

unpredictable errors involving the N.C.N.C. Ministers. We cannot rely on such chances to shape events, but this exchange of views will at least have served to alert us all to watch the situation for these possibilities with great care.

3. But I suggest that the major difficulty referred to in my minute of the 9th June remains.⁶ The Governor says that there will be chaos by about 1958:—

- (a) if self-government is granted in 1956. We know that Zik will ask for this; and
- (b) if most British officials then go. At (10) the Governor has estimated that 60 to 70% of them will go unless there is a radical change in the conditions of service. There will shortly be two means of checking the accuracy of this assessment—the reactions of the Eastern Ministers to the Gorsuch Report, and (assuming the scheme goes through) to the establishment of a Special Division of H.M.O.C.S. But in the recent talks about this latter point it was not expected that this Special Division arrangement would in itself encourage many officers in the East to stay on and it was thought that the solution there, if solution there is, must be political rather than financial.

It seems therefore as though the conditions set out by the Governor are likely to be fulfilled and that we must at this stage assume that chaos is likely by about 1958.

4. The question is therefore whether, when the Governor has advised that chaos is likely to ensue, the Secretary of State can next year seek Cabinet approval to the granting of self-government in the East and defend his action in Parliament. I should like to repeat the view in my earlier minute that the London conference declaration concerning the granting of self-government cannot be regarded as unconditional:—

- (a) because there was attached to it a proviso that ‘there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in future, or in any way make the continuance of Federation impossible’. Chaotic conditions in the East would clearly impede the Federal Government and might make the continuance of Federation impossible;
- (b) because any such undertaking assumes for its fulfillment a measure of good will on both sides and indeed competence to take up the responsibilities as well as the privileges of the benefits to be conferred.

It seems therefore that when the time comes there might well be strong moral justification for deferring the fulfillment of the undertaking as premature.

5. But as in the case of a possible suspension of the constitution, the timing and political consequences of a calculated deferment of the self-government pledge have to be weighed. I suggest that the reasons for such a deferment on the grounds that the competence of the Eastern Region Ministers to assume the responsibilities of self-government is not proven, need be less weighty than the reasons required to justify suspending the constitution and so to put Ministers out of office deprived of the chance to prove their worth. A statement issued announcing deferment of the pledge would be regretful and conciliatory in tone expressing the hope that after a further period of test it would be possible for the pledge to be redeemed. But the case for deferment must be clear enough for public exposition and clear enough to justify distinguishing between the Eastern Region and the other Regions to whom it would

⁶ See 296.

be made clear that the offer was still open. As the Governor again says Zik must never be made a martyr and unless we could be fairly sure of this the card would probably not be worth playing. On the other hand if the card is not played and chaos ensues it would go far to discredit our whole postwar Colonial policy in Africa and justify Malanism; we could well make great play of this fear as a reason for deferring self-government.

6. I suggest therefore that the Secretary of State should be advised that the London conference undertaking should not be regarded as unconditional and that there are circumstances in which deferment of it would be justifiable.

7. With the Secretary of State's approval, the Governor-General and Governors could then be informed of this. The letter could say that it seemed unlikely that any deferment of the undertaking would apply, if at all, to anywhere other than the East. There would be no question of an early pronouncement but the Governor-General and Governors should bear this point very much in mind in relation to their own responsibilities in respect of the 1956 conference. But in view of the advice of the Governor, East, that chaos there was likely, it would be important that all steps should be taken to test the capacity and intentions of the N.C.N.C. Ministers before the 1956 conference. There are at present at least three ways in which this can be done:—

(a) *Corruption*. It seems from (14) that the Governor is following this up already and he could be asked to press enquiries to the utmost.

(b) *Public Service*. As I have suggested above tests of the Ministers' attitude to the Public Service will be their reception of the Gorsuch Report and of the establishment of a Special Division of H.M.O.C.S., but in addition the Nigerian representatives at the recent Public Service talks drew our attention (as does paragraph 6 of the note below the Governor's letter at (10)) to the generally insulting attitude of Eastern Ministers to individual public servants. The Governor could be asked to take up all such instances strongly with his Ministers in an endeavour either to bring about a genuine improvement or to bring into the open Ministers' unwillingness to cooperate in the normal processes of government.

(c) *Economic matters*. From the general information we have received here it appears that the schemes to which the Eastern Ministers have committed themselves (often by legislation) would, if carried out, exhaust the reserves of the Region and bring about bankruptcy. We could examine this likelihood in much greater detail in correspondence with the Governor and see whether a composite case concerning likely bankruptcy could be produced which he could put as a whole to his Ministers.

8. If Zik passed these tests and any others which might emerge in the course of the operation, the Secretary of State could fairly ask his colleagues to agree to self-government for the East next year. If not the question of deferment of the undertaking would arise.

9. There is a further complication. In any announcement about deferring the undertaking, there would be no question of banning the N.C.N.C. as an active political party. It would rather be a question of encouraging them to put their best men in office and mend their ways. But there is likely to be a Regional election in the West before the 1956 conference. Sir J. Rankine's present view is that the Action Group will win this, but it is always possible that this may be wrong and the N.C.N.C.

will emerge in control of both Regions. It would be most unfortunate if any statement concerning deferment of the undertaking in the East issued before the elections in the West as Zik could then claim that electors in the West were being deliberately influenced against the N.C.N.C., and were the N.C.N.C. after all to win the election the West would then automatically be involved in this deferment. The timing of any statement would therefore be vital; it should if at all possible be made after elections in the West.

M.G.S.
30.6.55.

I agree with nearly everything in Mr. M.G. Smith's admirable and thoughtful summary above.

I would also commend to attention his excellent minute of the 20th May.⁷

These two minutes, together with the Governor's four letters at (2), (8), (10) and (14), which should be read, contain all the material; except that we have since been again advised that the N.C.N.C. have no real intention, when they get control, of running a Public Service on British lines: they intend to 'pack' the Public Service Commission.

The Governor says (paragraph 5(a) of (14)) that if British officers go on self-government, chaos will occur within two years.

Many of us are of the opinion that the only feasible way now to stop British officers going on self-government is by political action.

I agree that on present form and advice suspension of the constitution is impracticable; but the minimum political action which I believe we can take to prevent chaos is suspension of the promise of regional self-government in 1956.

Two years ago (see paragraphs 10 to 13 of my minute of the 2nd July, 1953, on WAF 39/3/03 attached)⁸ I advised that self-government in the South in 1956 'could only result in something not far short of chaos'. We now have much less time in which to manoeuvre. The sands are nearly run out.

The fact must be faced: the West African negro is not capable of honest democratic self-government in this generation; and probably won't be in the next either.

If we grant the East regional self-government in 1956, Malan and Strydom⁹ will have been proved right within two years, and British Colonial policy discredited beyond repair.

All we can do now is to play for as much time as we can get. By that I mean that we should hold back self-government from the East for a minimum of three years from 1956 (though I doubt whether any period should be mentioned even as a minimum).

The North would be relieved; and the lesson would not be lost on the West who would be on their best behaviour lest it should 'happen here'.

Not everything is against us.

The African respects strength. Hence Zik's great respect for Lord Chandos, and his publicly expressed preference for him over Mr. Creech-Jones at a meeting in London after the 1953 conference (with Mr. Fenner Brockway in the chair).

Hence too Mr. Awolowo's quiet (if temporary) acceptance of H.M.G.'s decision on Lagos after Lord Chandos had informed him, in reply to his threats of violence, that

⁷ See 294.

⁸ Not printed, see 222.

⁹ D F Malan and J G Strydom, prime ministers of South Africa 1948–1954 and 1954–1958 respectively.

any attempt to alter H.M.G.'s. decision on Lagos by force would be resisted. 'Black man like strong word'.

Zik is a coward. He will be brave to rouse the rabble, but will leave others to deal with the police.

He is also a twister. Despite his fair words and perfect manners, he should never be trusted.

The military and strategic position has changed. Most of the advice given from this Department in the last few years has been based on the assumption that we must at almost all costs have West Africa on our side in the event of a third world war. The latest expert military appreciations show that this thinking is now out of date.

Moreover world prices for many of Nigeria's important exports are falling.

Finally, the political difficulties of the decision need not be over-estimated. Not a few members of the Labour Party deeply distrust Zik. So does an influential section of the Press, including the 'Daily Mirror' group from its Chairman downwards.

What is needed now is a policy decision that the promise of regional self-government for the East in 1956 can be publicly withdrawn by about the turn of the year, and that we should work with that in mind.

Given that decision, tactics can be considered further. I think we may well need discussions with the Governor and Governor-General (who, it must be remembered, has six N.C.N.C. Ministers in his Council), and with the Governors, or very senior official representatives, from the other two Regions. It may not be impossible to arrange this next autumn.

There ought, also, probably to be a discussion between the Secretary of State and Zik, with the aim of giving Zik a chance to drop his claim for regional self-government in 1956, as an alternative to having the promise suspended by H.M.G. But all this needs further thought, and is having it.

The problem has also to be considered in respect of its bearing on a possible important visit.

T.B.W.
1.7.55

Sir T. Lloyd

The correspondence and minutes on this file deal with a matter of great importance and deserve most careful attention. They deal with the question whether or not we ought so to orientate our policy that the promise of Regional self-government in the East in 1956 can be publicly withdrawn well before the 1956 conference. Mr. Williamson, in his letter at No. (11) made the Governor think about the problem and his reply at No. (14) is the most important document. There is background information in his letters at (10), (8) and (2) and the general picture in the East is well painted in his 'chatty dispatch' at No. (2) on WAF 97/493/01 below (flagged). You should also read Mr. Maurice Smith's minute on this file of the 20th May (flagged) and the above minutes on the letter at No. (14).

I still feel myself very much a tyro in dealing with Nigerian affairs. Mr. Williamson has been concerned with them for four or five years. He knows the chief personalities well whereas I have only met Zik once (for three quarters of an hour in his bedroom when he was allegedly unwell), Ojike twice and about half a dozen of the other Ministers once. I am therefore reluctant to question Mr. Williamson's judgment on the matters discussed on this file.

Nevertheless it seems to me that matters have got to be a great deal worse before we could work to a policy of announcing the suspension of the promise of self-government for the Region.

I agree with previous minutes that the declaration about self-government in 1956 was not unconditional because of the proviso 'that there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it . . . or in any way make the continuance of federation impossible.' A complete breakdown of Government in the East would make it impossible for the Federal Government to exercise its functions properly and would really make the continuance of federation impossible. No safeguards I can see would be effective short of refusal to grant self-government to it.

But I think, and earnestly hope, that we are still a long way from seeing a breakdown of Government in the East. The Governor does not say in No. (14) that there will be chaos in the Region within two years after it is given self-government in 1956 but only that there will be chaos if that happens *and* if the great majority of British officers go then. I believe that it is much too early to assume that this is going to happen. We have, as you know, plans for the establishment of a Special Division of H.M.O.C.S. which should go a long way to persuade European staff to stay, even if it is not entirely effective in doing so. And before the 1956 conference 'things' may get very much better than they are—as they have already done in the West in a relatively few months. The East may adopt the Gorsuch Report. Zik now appears to be backing up the administration, e.g. by delegating to them wide powers under the Local Government Law—see the postscript to the Governor's letter at No. (14).

So it is too early to say that the European officers will go. The other allegations are of corruption, ineptitude and a financial policy which will lead to bankruptcy.

As to corruption the Local Government Law to which I have just referred was itself passed on Zik's initiative largely to counter bribery and corruption in Local Government Authorities. The Governor says that as yet charges of corruption cannot be proved against Ministers themselves—though it rather looks as if Ojike may be convicted of perjury. If that happened it would be an excellent thing and might give Zik an excuse for getting rid of him; able though he is, I am sure he is a bad man.

As to the ineptitude and folly of Ministers, there are plenty of able men in the East and in the N.C.N.C. party if only Zik would have them in his Government. Any one of the three Eastern N.C.N.C. Federal Ministers, for instance, would greatly improve the quality of the Eastern Regional Government. Zik may yet reconstitute his Government with better men.

On the financial side, wild though so many of the Ministers ideas are, they have not yet actually spent a great deal of money and their financial position still looks healthy enough. In this year's estimates they budget for a revenue of £7½ m. and expenditure of £7 m. and expect to have at the end of the year a balance of £5.7 m. In the background the Eastern Region Marketing Board will have something like £15 m. and there is a promise of £2¾ m. from C.D.W. They have recently passed a Bill authorizing the setting up of a 'university of Nigeria'. If it is established it would be immensely expensive but it is at present only a declaration of intention and there is no kind of date set to it. Universal primary education is their aim by the end of 1956 but little or no money has yet been spent or included in the Estimates and it would not be impossible, though no doubt it would be difficult, for them to alter or

postpone this policy. They are very well aware of this. They are by no means bankrupt yet—and Shell may strike oil in commercial quantities within the next few months. This is quite a serious possibility.

So on no count do I feel there is at present anything like a strong enough case for us to establish a policy to be publicly announced of postponing self-government.

But I do in fact very much agree with Mr. Smith and Mr. Williamson that it would be much better that the East, and also for that matter the West, should not be given self-government until they have had more experience than they will have had by 1956. I am therefore all in favour of playing for time. But delay will only be profitable if it can be contrived without forfeiting the goodwill of Ministers. If we seemed to be seeking it contrary to their wishes we should do more harm than good.

I think that in fact it should not be impossible to gain up to a year with goodwill. I strongly suspect that in their heart of hearts many Nigerian politicians would be glad of a little more time before taking the next plunge if they can be provided with a good excuse. For instance I found no one in Nigeria wanting a conference earlier than August, the very last month in which it could be held if we are to comply with the London Conference Conclusions. Clearly they all wanted it to be as late as possible. Again, I found quite a lot of interest in the idea that the conference after meeting in August might adjourn for a few months for further consideration of the questions discussed. Again too, people seemed to realise that it might well take some months for the constitutional documents to be drafted after the conference had completed its work—there were fifteen months between the London Conference Conclusions in August 1953 and the introduction of the new Constitution in October 1954.

In short therefore no one really expects independence to be actually introduced before January 1957 at the earliest and it might well be possible so to arrange things that it was delayed up to a year beyond this.

It may be, though I think it unlikely, that something will happen which would make it possible to postpone the initial conference beyond August next. If that can be done with good-will so much the better. Otherwise let us hold the conference in August and jump at any excuse for adjournment. The necessity for a new financial enquiry—‘another Chick’¹⁰—might be an excellent reason for adjourning for six months. And then let the lawyers take their time in translating the conclusions into constitutional documents.

We might then gain up to a year; I cannot see how we are likely to gain more than that. But even these few extra months might make a lot of difference. Apart from anything else it would delay the date when the European staff could go with lump sum compensation.

I have wondered whether anything would be gained by public or private warnings to the Eastern Ministers that the promise of self-government in 1956 is not unconditional. But I cannot think of anything that can be effectively said. One could, I suppose, speak somewhat on the following lines:—

Remind them that the promise of Regional self-government was subject to the proviso that there should be safe-guards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the

¹⁰ Sir Louis Chick, *Report by the Fiscal Commissioner on the Financial Effects of the Proposed New Constitutional Arrangements* (Lagos, 1953).

Federal Government of its functions or in any way make the continuance of Federation impossible.

The breakdown of the administrative machine in the Region would have this result and we are afraid that this may happen if too much of a strain is put upon it, especially if the expatriate staff go. Equally, reckless finance in the Region might make the proper functioning of the Federation impossible. Some of the schemes put forward in the East would run away with a mint of money which is not there, e.g. plans for universal primary education and the establishment of a university. Ministers must therefore beware lest anything they do in the Region should unwittingly delay the establishment of self-government.

But I very much doubt if a public statement or even private advice on these lines would do any good. Rather I think it would do harm because the politicians would not understand what we were aiming at (their consciences are far too little troubled on the matters referred to) and it would be thought that H.M.G. were preparing to rat on their undertaking.

The most that I suggest should be done is to seize every opportunity of urging on Zik or other responsible members of the N.C.N.C. (such as Mr. Mbadiwe who is now in this country) that Zik should take his courage in his hands and strengthen his team in the East.

C.G.E.
5.7.55

Minister of State

This is a very important collection of papers, and you will wish to read both the later minutes and the earlier correspondence mentioned in the first paragraph of Mr. Eastwood's minute of the 5th of July. It would be helpful if, as soon as you are ready for it, Mr. Eastwood, Mr. Williamson and I could have a talk with you.

While I agree with Mr. Eastwood that we are in no position yet to take a policy decision that the conditional promise of self-government in 1956 should be publicly withdrawn, I doubt whether we can rely on gaining time up to anything like the extent which Mr. Eastwood hopes may be possible.

Even if H.M.G. should come to the conclusion (which would certainly be a matter for Cabinet) that the promise of self-government could be publicly withdrawn, they would then be faced with the very awkward question of timing which is mentioned in paragraph 9 of Mr. Maurice Smith's minute of the 30th of June. To make such an announcement at any time before the next Regional elections in the West, would almost certainly be worth many votes in that Region to the N.C.N.C. to the detriment of the Action Group.

My present view is that the deteriorating situation in the Eastern Region and the prospects of still further deterioration, point to the need for a Ministerial visit (not, I think, by the Secretary of State) to that Region before the end of the year, and that there would almost certainly then have to be some very plain speaking to Zik by the visiting Minister after he had spent several days touring the Region.

I am sending copies of this minute to Mr. Eastwood and Mr. Williamson.

T.K.L.
11.7.55

I have read carefully and shall be glad to discuss. Another (and perhaps better) course would be to ask Zik to come here.¹¹

H.H.
16.7.55

¹¹ See 332.

302 CO 554/1183, no 36

23 June 1955

[Northern Region]: letter from Sir B Sharwood-Smith to Mr Lennox-Boyd on the political situation

My Secret and Personal Saving No. 20 of 11th June covered developments up to the close of the Chiefs' Conference whereafter the N.P.C. political leaders left for Maiduguri for the Party Conference, the opening of which had been arranged for June 13th.

2. The Conference was characterised, firstly, by the very large number of delegates who had assembled from all parts of the Region and many major centres in the South and, secondly, by the extreme moderation of the decisions in relation to what was expected from some of the less responsible branches.

3. It was known that Isa Kaita, abetted by Abba Habib,¹ the latter more from a sense of adventure than as a result of deep thought, had been prepared to take advantage of any support they could find for advocating self-government in 1956, this to be combined with an intensification of anti-Ibo propaganda. The remaining Ministers, however, and their supporters had other views. Abubakar had proclaimed that he would subscribe to any form of political advance provided only he could be shown a convincing plan. He had added that no single one of the advocates of early self-government had, when challenged, been able to produce any plan as to how it should be brought about. The formula of 'Self-Government as soon as practicable' was retained.

4. It was further decided, but without any great enthusiasm, that it would be necessary, in 1956, to ask for an all-Northern Executive Council except for the Governor and the Attorney-General.

5. Apart from the inevitable parochialities which are inevitable in a gathering which included representation from the most remote and least sophisticated areas, the subject which most excited interest and resentment was the relationship between the North and the South. While there is deep dislike and suspicion for the Action Group and all its works, the Yoruba, as a race, are not unpopular. On the other hand, the Northerner's feeling for the Ibo borders on detestation. There is no object in recalling the root causes for this which go back for 20 or 30 years but it is a situation which must always contain the seeds of violence.

6. In the course of the Conference various leaders of Northern communities in large towns in the Eastern Region gave an account of the manner in which they were treated as individuals and as communities. There was even a discussion covering the

¹ Alhaji Isa Kaita, member of the Northern Region House of Assembly; Northern minister of education; publicity secretary, later financial secretary, NPC; Malam Abba Habib, member of the Northern Region House of Assembly; Northern minister of trade and industry; general secretary of NPC.

possibility of an exchange of populations at some future date. Such a development is scarcely practical politics and not likely to occur in any form provided that there is no recurrence of the Kano Riots. Against this the personality of the present Emir of Kano constitutes an encouraging insurance.

7. Despite the Conference's attitude towards the Ibo it is significant that there was no talk of separatism. Emphasis rather lay on the necessity for a strong Federal Government and, before self-government for the North, access to the sea by means, preferably, of a well-developed river port and guaranteed access to Lagos.

8. More important still than the results of the Maiduguri Conference have been developments nearer home. There is no doubt whatsoever, from the point of view both of Ministers and Heads of Departments, there has been a very great improvement in the workings of the Ministerial system. Of greater significance still has been the decision, quite candidly conveyed to me, that despite his long series of political blunders and his grave faults of character, it is intended that the Sardauna shall as long as possible be retained as the working figurehead of the Party, with the strictest instructions to keep at all times in touch with the Governor and to take note of his advice. Steps are to be taken by responsible Ministers to curb the influence of Isa Kaita which is felt to be potentially dangerous, and of Abba Habib, which is completely irresponsible. Subject to this, assurances have been given of a complete change in attitude as between Ministers and official Members of Executive Council in particular.

9. This, provided it can be maintained, and I think it can, is a great step forward for which the Region owes a great debt of gratitude to Abubakar and, in a less degree, to Makama² and Shettima.

10. On the other hand, it must be remembered that the Sardauna is still in a position to do damage to the unity of the Region on the one hand and to antagonise the Service on the other. Incidents have already occurred in Bornu since the Conference closed though they are not of major significance and too frequent repetition can probably be avoided.

11. To turn to the other two Parties. The two most active non-Moslem Parties, i.e. the M.Z.L. and the M.B.P.P., have united under the name of the United Middle Belt Congress with David Lot³ as the President and Patrick Docherty and other of the more responsible Birom, behind him. On the other side Bello Ijumu, aided by Yerima Balla, represent the M.B.P.P., and the M.Z.L. extremists.

12. This development has undoubtedly come about as the result of political blundering by the Sardauna, Isa Kaita and Abba Habib who have been supporting small N.P.C. groups working in conjunction with individuals antagonistic to the Birom Native Authority. Their treatment of the Chief of Birom so incensed him and his followers that he asked for a personal interview with me at Kaduna and also complained bitterly to the leading Chiefs. The same misguided technique has also been encouraged by the Sardauna in other predominantly non-Moslem areas where small and somewhat disreputable N.P.C. elements are active.

13. Despite this, the alliance of David Lot and his followers and Bello Ijumu who

² Alhaji Aliyu Makama (Makaman) Bida, member of the Northern Region House of Assembly; Northern minister of finance; general treasurer of the NPC.

³ Pastor David O V Lot, President of the MZL, then President of the UMBC, later minister without portfolio in the Northern Region government.

constitutes the driving force behind the new 'Party', is not likely to last. Bello Ijumu still has strong links with N.E.P.U. and with the Action Group which, for financial reasons, he cannot break and which will inevitably bring him into conflict with the moderates.

14. Finally, N.E.P.U. Aminu Kano and his followers, incorrectly assessing what lay behind the Chiefs' Conference, have come out in the open as champions of the Chiefs against the N.P.C. Such a move is purely opportunist and typical, and as soon as it is shown to be profitless, it will be dropped.

15. The proposed delegation to London which at the moment intends to leave Nigeria in August, consists, apart from Aminu, of Ibrahim Imam, Nwajei, the Ibo communist-inclined lawyer from Kano, Yerima Balla and Zukogi from Bida, and a female.⁴ Of these, Ibrahim Imam, despite his much advertised change of allegiance, instead of attending the N.E.P.U. Conference, remained hopefully, though fruitlessly, in the wings at Maiduguri. Further, Yerima Balla has joined the U.M.B.C. though doubtless this fact will not prevent him taking the opportunity of a trip to London.

16. I will report further in due course. It is expected that the N.P.C. will try to lay the foundations of a 'National Front' on a non-political basis in August, to include Chiefs, leading Traders and provincial 'Divines', Christian as well as Moslem.

⁴ The NEPU delegation, led by Aminu Kano, departed for London in Dec 1955. The aim of the delegation was to press the CO for reform of the electoral system in the Northern Region. Following advice from Sherwood-Smith it was decided that it should not be received by the secretary of state; instead a meeting was arranged with Mr Hare on 4 Jan 1956. 'NEPU is in fact little more than a series of loosely-connected local branches run, in the main, by irresponsible town Malams with a grudge against the government or the Native Authority in their area' (CO 554/1259, no 36, Sherwood-Smith, brief on the Northern Elements Progressive Union, 10 Sept 1955).

303 CO 554/1125, 21A

23 June–6 Aug 1955

[African Continental Bank]: Nigerian government political intelligence notes no 58

[Extract]

[In mid-1955 concern began to be expressed within the CO at reports from the Eastern Region that public funds were being invested in the African Continental Bank, an unlicensed bank owned by Azikiwe and members of his family. 'Is there anything in this which could be taken up with the governor?' wrote Sir T Lloyd (CO 554/1125, no 11, minute of 7 July 1955) while Williamson minuted his concern at what he termed 'these accumulating signs of dishonesty and incompetence on the part of the NCNC ministers' (CO 554/1125, minute of 18 July 1955). Although this issue did not become public until the following year considerable attention was paid to it in the CO during 1955 and these reports marked the start of a long drawn out controversy that led eventually to the appointment of the Foster-Sutton commission, see 368.]

... Unfortunately the hands of some of Dr. Azikiwe's own Executive Council are equally stained, and he himself as Premier of the Eastern Region and leader of the Party can not be absolved from blame. Reference was made in PIN 56 para 1 to the misuse of Marketing Board funds to bolster up Azikiwe's African Continental Bank. The full details of this dubious transaction are now known. £2 Million of Marketing Board Funds were made available by the Eastern Regional Government to the Eastern Regional Finance Corporation. This money was invested in United Kingdom securities, and a special visit to the United Kingdom was made by Dr. Mbanugo,

Chairman of the Finance Corporation and Blankson the General Manager of the African Continental Bank, to procure the immediate realisation of half these securities. With the proceeds 784,000 £1 ordinary shares, and 93,000 £1 8% Preference Shares were taken up by the Finance Corporation in the African Continental Bank; at the same time some £83,000 was placed to the credit of the Finance Corporation's deposit account in the Bank. This Bank has for a long time been run at a loss, and it is well known that its affairs have not been conducted honestly. The Finance Corporation's 'investment' has now put the Bank on its feet again and, what is more important for the NCNC, has provided a source from which, by concealed manipulation, funds can be provided for fighting the 1956 elections in the Western Region; for the first time the N.C.N.C. is financially on even terms with the Action Group. . . .

304 CO 554/997, no 7 14–18 July 1955
 [Revenue allocation]: minutes by T B Williamson, C G Eastwood and
 Sir T Lloyd on a review of the implementation of the Chick Report
[Extract]

In his report¹ of December, 1953, Sir Louis Chick recommended *inter alia* that 'The allocation of revenue should be reviewed after experience has been gained of the working of the revised constitution (paragraph 66)' (paragraph 95(21)). Paragraph 66 of his reports reads as follows:—

'An authority on federal government has remarked that there is and can be no final solution to the allocation of financial resources in a federal system.* If the recommendations I have made are accepted, they will require to be reviewed after experience has been gained of the working of the revised constitution. I need make no specific recommendation for such a review as it will be incidental to the further review of the constitution proposed to be made not later than 31st August, 1956. I respectfully suggest, however, that the terms of reference of the commission appointed to make the review should be framed rather more broadly than my terms of reference on revenue allocation'.

The Lagos conference of January, 1954, accepted this recommendation. The new constitution, embodying the new system of allocating revenues, came into effect on the 1st October, 1954.

Given this position we feel, and the Governor-General and Governors do not dissent, that the Secretary of State might be vulnerable to criticism at the next conference due in 1956 if he had taken no initiative before that conference to implement Sir Louis Chick's recommendation.

* K.C. Wheare, 'Federal Government' page 123. The Canadian Minister of Finance was recently reported to have spoken of 'the futility of attempting any once-for-all division of responsibilities and revenue fields.'

¹ Report by the Fiscal Commissioner on the Financial Effects of the Proposed New Constitutional Arrangements (1953) Cmd 9026.

At the same time none of us are anxious to hurry things on unnecessarily, and we are not without hope that, the despatch having issued, nothing will come of it this side of the next conference because of disagreements (the blame for which could hardly be laid at H.M.G.'s door) within Nigeria.

These disagreements will probably arise on two points.

First, it is quite possible that the Regional and Federal Governments will be unable to agree on terms of reference for the review. Sir Louis Chick thought these 'should be framed rather more broadly' than his terms of reference. The West and North would probably wish to stick as closely as possible to 'derivation', whereas the East, anyway until it is established whether mineral oil exists in that Region in profitable quantities, will wish to give greater weight to 'need'. In the draft despatch which Sir Thomas Lloyd sent out with his letter of the 12th May (12/15) we proposed very broad terms of reference. Sir Hugo Marshall is now of the opinion, which I think we should accept, that we should leave it to the Government at the other end to suggest the terms.

I think, however, that I should mention that it seems possible to me that the Regional Governments, or anyway the two Southern ones, will ask the Governor-General to convene a domestic conference of all five Governments with a view to settling terms of reference. We can only wait and see.

Second, there is much talk in Nigeria at present about splitting the country into more Regions (or States). The Secretary of State's present line on this matter is set out in his savingram at (4/7). Those politicians in Nigeria who want more States may say that any review of the present system of revenue allocation would be a waste of time if based on the present Regional/Federal structure. But a review, on the lines of Sir Louis Chick's, could not take place on the basis of any other structure in advance of the next constitutional conference because so fundamental a question as the possible division of Nigeria into more States could not be settled in advance of a fullscale conference.

Disagreement about 'a new Chick' may therefore well arise on this score.

It should be added that in anticipation of the demand from one or more of the major political parties for more States, certain local enquiries are proposed, by the Governor-General and Regional Governors, to see to what extent any new States might be viable. We have said for our part that we have no objection to these local enquiries being made, but that if—as is apparently necessary—Ministers must be consulted about them then it must also be made clear to them that they are fact-finding only and that their institution does not in any way imply that H.M.G. have accepted a policy of further fragmentation. We have also said that the fact that any new 'State' might appear, as a result of these enquiries being undertaken, to be viable would not be the governing consideration in the matter, although it would be an important one.

Finally, as advised by Sir Hugo Marshall, we do not now propose to suggest any particular period for a possible review of the revenue allocation system.

?Issue despatch as in draft.

T.B.W.
14.7.55

I quite agree that the draft should be entirely non-committal.

I am quite sure that the right thing is for the review not to take place and I have very fair confidence that that will be the result of this approach.

C.G.E.
14.7.55

Minister of State

It may seem premature to be thinking already of another enquiry into the allocation of revenue in Nigeria, but Sir Louis Chick said that the scheme which he had drawn up would require to be reviewed and that this review 'will be incidental to' the next constitutional conference. Sir Louis's views were accepted at Lagos in January 1954 and although H.M.G. are not thereby absolutely committed to the completion of a further fiscal review before the next conference is called in Nigeria (as it may be at any time after the 1st August 1956) it would at least be open to Nigerian politicians then to criticise us if no steps had been taken to that end. . . .²

T.K.L.
18.7.55

² Hopkinson agreed on 18 July 1955 to a further review of the revenue allocation procedures.

305 CO 554/1125

18 July 1955

[African Continental Bank]: minute by A N Galsworthy¹ on the transfer of funds from the Eastern Region Finance Corporation to the African Continental Bank

*Mr. Williamson**Mr. Melville*

The background to this injection of £750,000 of capital into the Continental Bank² is contained in Nos. 8 and 9 on this file. We have no additional information about the transaction on our Finance Department papers. We have been endeavouring to find out, by discreet enquiries through the Bank of England, whether the transaction has gone through and, if so, how it was effected. But the Bank of England have drawn a complete blank. We assume however that the transaction has by now been effected, and that it was done by means of a transfer of securities from the Finance Corporation to the Continental Bank to a value of £750,000, and not by means of realising securities, as Mr. Grey's earlier telegram at No. 8 had suggested. If the securities transferred were to a mid-market rather than a nominal value of £750,000, as I imagine was the case, the transaction will have represented an even heavier drain on the resources available to the Finance Corporation.

2. The Continental Bank has been trying, unsuccessfully so far, to obtain a licence under the Nigerian Banking Ordinance. The requirements for the issue of a licence under that Ordinance are, in essence, that a Bank must be a registered company with a minimum capital and an adequate cash reserve against deposits, and that it must show evidence of satisfactory conduct. The reports mentioned in Mr. Timms' note show that, at the 31st December last, the Continental Bank's liquidity ratio was no more than 11.45%. The Financial Secretary had, quite rightly, told the Bank only a few months previously that he considered 30% to be the minimum figure acceptable. The Bank's Balance Sheet at the 31st March, 1954, (a copy is attached to No. 5) speaks for itself. If the Finance Corporation were conducted on proper lines, I would have thought that they could scarcely have contemplated

¹ Assistant secretary, CO, 1947, assistant under-secretary, 1956, under-secretary, 1965.

² See 303.

running the risk of appointing the Continental Bank as their bankers, at the very least not until that Bank had been able to get itself licensed. But not only have they done this, which in itself involves a risk to public funds under their control: they have seen fit to invest about 40% of their capital in the Bank, thus placing themselves virtually at the Bank's mercy. And all this on public funds!

3. Sir C. Pleass says in his letter at No. 9 that, had this proposed investment been brought to Executive Council before it was made, he would not have opposed it, though he would have advised that the amount of the investment was too great and represented too large a proportion of the finance available to the Finance Corporation. Mr. Cook has advised his Minister in this last sense, but without success. I personally think, however, that there is rather more in it than this.

4. The encouragement of indigenous banks along sound lines is obviously a most desirable, indeed essential, objective. I would not dispute Sir C. Pleass view that on these grounds a case might have existed for the Finance Corporation to give some assistance to the Continental Bank, though of a much smaller sum than £750,000. But surely the proper way for the Finance Corporation to set about giving the Bank such assistance would have been for them to find out exactly what was required to enable the Bank to qualify for a licence, not only financially but also from the point of view of the Bank's organisation and conduct of its affairs; and than to have made the grant of any financial assistance absolutely conditional upon the Bank's adopting at once all the measures necessary to satisfy the Financial Secretary, including probably the appointment by the Finance Corporation of a director or directors on the board of the Bank with wide powers. Only by the adoption of stringent safeguards of this nature would the Finance Corporation have been justified, in my view, in putting any public money into the Continental Bank at all.

5. There is no evidence that the Finance Corporation sought to act on these lines; and I suppose the truth of the matter is that it, too, is entirely a creature of the present Eastern Regional Ministers and that it probably has nobody on it capable of directing the Continental Bank on proper lines anyway. But if the Finance Corporation has, as I suspect, without further ado put £750,000 of public money, just like that, into a Bank to which the Financial Secretary has hitherto felt unable to grant a licence, then it is to my mind a thoroughly discreditable and reckless action for it to have taken.

6. Whether the Continental Bank will now conduct its affairs on proper lines, and obtain a licence from the Financial Secretary, remains to be seen. Mr. Peet's letter at No. 10 points out that the fact of the Finance Corporation's investment will not of itself secure a licence for the Bank. Mr. Timms may be right in thinking that, if the Continental Bank is forced out of business, something worse might appear in its place. That, of course, is not a factor which can influence the Financial Secretary in deciding whether or not he can licence the Continental Bank under the Ordinance. But the real cause for disquietude here is the action of the Finance Corporation. To my mind it shows both the Corporation and the Minister of Finance, who approved the transaction, to be very sadly lacking in a proper sense of principle and responsibility in regard to the use of public funds. The whole thing is, in fact, in my view a thoroughly disreputable fiddle. Public funds have been used to give the Continental Bank a very powerful shot in the arm, without any guarantee at all, so far as we know, that the Bank will in future conduct its business in a manner which will enable it to secure a licence. Subject to any more general action that Mr.

Williamson may have in mind, I would think that we ought at least to let Sir C. Pleass know what we feel about this transaction, and ask whether in fact the Finance Corporation did seek or obtain from the Bank any guarantees as to the future conduct of its affairs.

306 CO 554/997, no 13 20 July 1955
 [Revenue Allocation]: letter from Sir B Sharwood-Smith to Sir H
 Marshall on Northern fears of the fragmentation of Nigeria

Thank you for the copy of your Secret and Personal letter of the 9th July to Lloyd about a possible review of 'Chick' and the best time for this to be done. I fear that I cannot have made quite clear to you, the telephone being what it is, my views as expressed to the Governor-General during his recent visit, on this particular subject. It will in any case serve a useful purpose if I put them on record here, particularly as doubts have been expressed from time to time on the implications of what has been called 'the Twelve Pillars policy', and fears that it might result in 'fragmentation'.¹

2. I should like to make it quite clear that all policy in this Region is directed to maintaining the unity of the North, and avoiding fragmentation at all costs. It is, as you know, the aim of the politicians of both East and West to split the North into small and disunited states and so secure the predominance which their greater familiarity with the Western world and superior political astuteness would give them.

3. The political propaganda put over by East and West in the 'Middle Belt' is extraordinarily insidious—the Middle Belt is neglected; the Moslem North gets all the development funds; Middle Belt chiefs are not respected by Moslem Ministers; Middle Belt Christians are oppressed by Moslem chiefs—and so on. Incidents in support of this line are magnified: the achievements of the Regional Government in the area are played down. It is useless for the Regional Government merely to deny all this. What is needed to retain the loyalty of the 'Middle belt' is a positive policy—a clear demonstration to those peoples that they *are* getting a fair share of development, that their chiefs *have* as much say in their own areas as the Moslem chiefs do in theirs, and that if they are Christians their faith is *not* liable to persecution.

4. The Eastern politician and the Northerner who is taken in by his propaganda point to secession as the answer, with the deplorable prospect of another Region, more Ministers, another vast centre of bureaucracy and nothing left for development, and the true welfare of the people.

5. I am firmly of the belief that if the Northern Region Government was willing to delegate a part of its powers, and this would include certain financial powers, to Provinces or groups of Provinces it could convince the 'Middle Belt' of its bona fides and retain its confidence for all time. The N.P.C. welcomes this policy, and it was mentioned by the Premier in vague terms at the Party Conference at Maiduguri.

¹ The 'twelve pillars policy' derived from the idea of Sharwood-Smith for substantial delegation of powers from Kaduna to the twelve provinces of the Northern Region; these would have Provincial Councils empowered to act with quasi-autonomy. Part, at least, of the motivation behind the policy was to counter proposals for the fragmentation of the North, through demands for a Middle Belt region (see 290).

6. While it may be possible to argue the viability of a 'Middle Belt' State with its own Legislature, Ministries, etc. no such question would arise for the units chosen by the Region for the devolution of powers. The twelve Provinces would be maintained, though some boundary adjustments might eventually be necessary. Regional Policy would still be directed from Kaduna and the Regional Legislature make the Regional laws: what the delegation would achieve, and in achieving would demonstrate, would be the equality of development throughout the Region. This policy, if pursued, cuts the ground from under the propaganda which would split and divide the North.

7. I have, in what I have written above, diverged considerably from the review of Chick but it is all a background to the question of constitutional review in 1956 and the financial problems which will go with it. The East will undoubtedly come out with a demand for a revision of Chick on the basis of 'need'. It is unnecessary for me to say how bitterly Northern politicians will resist this. Grey must well remember the acrimony engendered over allocation of revenue when the principle was held to be valid for the East some seven years ago. The development of the political parties since that date and the increased Northern nationalism in the last year or two will make feeling far more intense now than it could have been at that time. The North will not admit that any Region could have 'needs' more urgent than its own for communications in its vast area and for social services. My own view is that without a general picture of how revenue allocation under Chick has worked out and at least an indication of the principles on which the new review of allocation of revenues is to be based, it could well prejudice the success of the Conference. It will in any case almost inevitably have to sit, as did the previous Conference, with a six months interval between two separate sessions to study and accept the recommendations of the second Chick.

8. I suggest that the first step is for an informal study in very general terms to be made in the office of the Financial Secretary of the Federations of how Chick's allocations of revenue have worked out. In this way undesirable publicity will be avoided, the results will provide a guide to the detailed terms of reference which should be given to the new Commission, and political animosities will not be aroused.

9. It has been suggested that the Federal Government should do some investigation into the viability of the suggested new states such as the 'Middle West State'. To do so before the Conference met for the first time would be to accept in principle the idea of a further break down of Regions. The attitude of the Federation, whatever the views of individual Regions are, should, I suggest, be to assume the maintenance of the status quo until a full conference has demanded or accepted a change. Moreover if, as I hope, the North can, before the Conference begins, demonstrate its desire to make strong concessions to maintain its unity, the attraction of splitting East and West as a decoy to the North will be gone.

10. If the other two Regions insist on splitting, the viability of the states can be determined by 'the new Chick' before the second meeting of the Conference as was done by the first Chick with the Cameroons.

11. We for our part shall not wish to trouble you with our own investigations, on financial delegation to Provinces, which will be conducted with equal lack of publicity. Until we have done this we cannot be sure how we stand or propound a clear-cut policy.

307 CO 554/1181

21 July 1955

[Eastern Region crisis]: minutes by T B Williamson and Sir T Lloyd on the possible suspension of the Eastern Region constitution

Secret and personal reports from Sir Clem Pleass over the last few months have shown that government in his Region is going downhill. The Ministers are mostly dishonest and incompetent. Sir Clem's assessment is that if regional self-government is granted to the East in 1956 and if the great majority of British officers go then, chaos or something very like chaos will occur within two years.

In another context he has estimated that some 60 to 70% of British officers might go on regional self-government. It is too early to say what effect the new plans for the Nigerian service might have on this estimate, but it seems at present unlikely that they would materially alter it.

There seems to be no sufficient case, anyway at present, for a suspension of the constitution in the East. But it may well be necessary within the next six months or so to state publicly that the promise of regional self-government cannot be implemented in 1956 so far as the East is concerned. (The promise would stand for the West—and for the North too if they wanted it, though this at present seems unlikely).

The difficulty is to build up a convincing case to justify such a decision.

The best plan seems to be for the Governor of the East, and the Governor-General, to be invited to London for discussion of the whole problem with the Secretary of State at about the end of September. (The other two Governors should come too, or be represented, if possible. They may both be on leave about then).

We propose to inform them now that, [¹subject to their advice and if a case could be made out, the Secretary of State will be prepared to withdraw] the promise of self-Government in 1956 from the East, but that he would first wish to discuss the whole matter with them in London. In the meantime Sir Clem should be asked to prepare as full a statement as he can of the case for the action contemplated.

There is a further difficulty, namely to know what to say and how to handle Zik if he carries out his present plan of visiting the United Kingdom in September and October, when he will certainly expect to be received by the Secretary of State. The tactics for this can be considered with the Governor-General and the Governor, but it would probably be wrong to place any reliance on any assurances of better behaviour, etc., which he might give to H.M.G.

T.B.W.
21.7.55

Mr. Williamson

The S. of S. agrees that we may consult Sir J.R.² and Sir C.P.³ on the lines you suggest but he would prefer not to go so far as [] & instead to say that 'if they so advise the S. of S. wd be prepared to consider with his colleagues the possibility of intervening'.

T.K.L.
21.7.55

¹ Sir T Lloyd inserted square brackets from this point to the words 'prepared to withdraw'.

² ie Sir J Rankine.

³ ie Sir C Pleass.

308 CO 554/1181, no 17

26 July 1955

[Eastern Region crisis]: letter (reply) from Sir T Lloyd to Sir C Pleass on the possibility of withdrawing the promise of regional self-government from the Eastern Region.

I have now had an opportunity of discussing with Ministers the assessment of the situation in the Eastern Region contained in your Secret and Personal letter (GE: A.167/51) of the 22nd June to Williamson.¹ Your Secret and Personal letter (GE: A. 167) of the 11th July to Williamson also reached us in time for this discussion. You do not say whether this latter was copied to Robertson and the other Governors. You will, no doubt, arrange this if you have not already done so.

2. We accept your view that conditions do not at present exist in the East that would justify a suspension of the constitution, and that the rate of deterioration makes it unlikely that a case for suspension could be made out before the 1956 Conference.

3. But we must also give full weight to the opinion expressed in paragraph 5(a) of your letter of the 22nd June that if self-government is granted to the Region at the 1956 Conference and if the great majority of British officers then go, chaos or something like it will occur within two years from the grant of self-government. We note that in the last paragraph of your Secret and Personal letter (GE: A. 221) of the 26th May to Jeffries you estimated on the information you then had that unless there were a very radical change in conditions between 60 per cent and 70 per cent of the overseas officers in the service of the Eastern Regional Government would be likely to go on the attainment of self-government, so that the conditions under which, on your forecast, may result in chaos might well be fulfilled. It would be difficult for the Secretary of State to proceed with the grant of Regional self-government to the East in 1956 if you still advise that chaos would be likely within a relatively short period thereafter, as this would not only be contrary to the interests of the people of the Region and to the interests of Britain in Nigeria, but it would also be likely to bring serious discredit on British Colonial policy as a whole. There is also the important point that the Federal Government (and probably certain other Governments in the Federation) would still be dependent at the time and that H.M.G. would therefore still be ultimately responsible for the discharge of federal functions in the East (cf. the proviso in paragraph 28 of the London Conference Report). Having weighed these factors, the Secretary of State has decided that he would be prepared, if Robertson and yourself so advised, to consider with his colleagues the possibility of withdrawing or suspending the promise of Regional self-government in 1956 from the East. This would of course be a very serious step to take and we do not in any way underrate the political difficulties in both Nigeria and the U.K. of taking it, but these difficulties would not necessarily be graver than the consequences to be faced in 1958 or thereabouts of a breakdown of orderly government in the East.

4. The timing of any announcement would be of great importance and we should hope to rebut any charges of bad faith or of seeking excuses for continuing a 'Colonial' regime by making it clear that the offer of self-government still held for the other Regions and was only suspended in the East until Ministers there had taken advantage of the further opportunity given to them to prove themselves. But the

¹ See 301.

period of suspension of the promise might have to be for two or three years as a minimum though probably no actual period should be mentioned. One factor to be considered would be the effect of the announcement of suspension on the other Regions, particularly on the West where we believe that Awolowo has in mind an election sometime in the spring.

5. The Secretary of State has just left for a visit to the Far East and will not be back until early September. Sometime in September he will, I hope, be taking a short holiday. Before any step is taken on this very important matter, he would wish to discuss the whole matter in London with you and with Robertson, whose interest in it is of course hardly less than your own, and also if possible with Sharwood-Smith and Rankine. Will you therefore let us know whether it will be possible for you either to make a brief duty visit to London about the end of September or to bring forward your leave to cover a visit here about that time? Rankine will be on leave then and could, we hope, be present and we think it may be possible for Sharwood-Smith to be here on leave then too.

6. One of the difficulties is that while you and we know that many of the present Ministers are quite untrustworthy, it will be very hard to build up a case which will be thoroughly convincing to the public either in Nigeria or this country. It has not for instance been possible so far to pin down to any individual Minister the corruption and jobbery which we know to be rife. We should like you between now and the end of September to do all you can to collect concrete evidence against Ministers. Indeed it would be useful if you could prepare for consideration at the talks a full statement of the shortcomings in every respect of Zik and his Ministers, which could in effect be the first draft of a White Paper explaining to Parliament the action of H.M.G. if it was decided either then or later to suspend in the East the promise of self-government in 1956.

7. We notice that Zik's latest plan is to visit the U.K. about mid-September and to return early in November. He will presumably expect to be received by the Secretary of State, but it may be that their talk could be postponed until after the Secretary of State has seen you and Robertson, and been able to decide the tactics. We doubt, in any case, whether the present difficulties could be overcome simply by the Secretary of State addressing a solemn warning to Zik to mend his ways. Zik would no doubt be very ready with explanations and assurances but he must be judged *inter alia* on his performance in office and it seems doubtful whether any assurances he might give—even publicly—would prove of lasting value; he might well observe them till 1956, only to go back or be forced back on them as soon as he had obtained regional self-government.

8. I am sending copies of this letter to Robertson, Sharwood-Smith and Shankland and I enclose a copy of my covering letter to Robertson. I am also sending copies of this to the others. I am also sending copies of all the correspondence to Rankine in England.

309 CO 554/1181, no 20

26 July 1955

[Eastern Region crisis]: letter from Sir T Lloyd to Sir J Robertson on the security implications of the crisis in the Eastern Region

You will be aware of the correspondence we have been exchanging with Pleass about the deteriorating state of affairs in the East and you will have seen his secret and

personal letter to Williamson of the 22nd June of which he sent copies to you and the other Governors.¹ These matters have now been put to the Secretary of State and I enclose a copy of a letter I have sent to Pleass conveying the Secretary of State's views.

The question raised is of course a most serious one and we hope that you as well as Pleass will be free to come to London to discuss it about the end of September. You will probably by then have completed your first survey of the Nigerian scene so that you might in any case find it convenient to come home for a few days for a general discussion with the Secretary of State.²

One matter in connection with a possible suspension of the promise of self-government to the East in 1956 is what effect this might have on the security situation and public order in Nigeria generally. We hope you will be able to bring with you (or send in advance) an assessment of this, with particular reference to any possible need for outside military assistance. The Secretary of State will need this in connection with any proposals he may decide to put to the Cabinet here.

This correspondence is also being copied to Sharwood-Smith and Shankland, and to Rankine at his leave address. Sharwood-Smith and Rankine may both be on leave at the end of September and if so there would be obvious advantages in their coming to the talks. These might then well include a preliminary discussion of problems and tactics for the 1956 Conference as a whole.

¹ See 301.

² Robertson took up post in June 1955.

310 CO 554/1181 27–29 July 1955
 [Eastern Region crisis]: minutes by J S Bennett,¹ C Carstairs,² C G
 Eastwood and Sir T Lloyd on the security implications of the crisis in
 the Eastern Region

I am grateful for the opportunity of seeing these papers, which Mr. Carstairs should also see.

2. The question whether and when to take the military into our confidence is, I suggest, more than a departmental matter between us and the War Office. It seems to me one which the Minister of State, in the Secretary of State's absence abroad, would probably wish to consider against the background of his relations with his colleagues on the Cabinet Committee on Colonial Security; and if anything were to be said, it would possibly be best said at Ministerial level to the other members of that Committee, or at least from Sir T. Lloyd to the three Chiefs of Staff.

3. At a meeting only the other day the Chiefs of Staff expressed concern and some irritation at not having been informed by the Colonial Office at an earlier stage that events in Singapore, following on Mr. Marshall's³ conflict with the Governor over the reserved powers, were moving to a point at which the possibility of the Singapore Constitution having to be suspended was having to come under consideration. The present situation in Singapore is no doubt much riper than that

¹ Assistant secretary, head of CO Defence Department.

² Assistant under-secretary, CO, 1953.

³ D S Marshall, chief minister of Singapore, 1955–1956.

in Eastern Nigeria. But against the general background of the recent Templer Report, and bearing in mind that General Templer³ will himself be one of the Chiefs of Staff by September, my own feeling is that it would be wise to err if at all on the side of telling the Chiefs of Staff too much and too soon.

4. I think it is probable in any case that the Governor-General will consult the G.O.C., West Africa, when making the security assessment requested in Sir T. Lloyd's letter at (20), and in that case it can be taken for granted that the knowledge that this had been done would leak back, possibly in an exaggerated form, to the War Office. General Herbert⁴ has recently been talking to the present C.I.G.S. on his own initiative about a possible internal security requirement for British troops in West Africa, though he appeared to have Sierra Leone and the Gold Coast more in mind than Nigeria. The Minister of State saw General Herbert about this yesterday. (Incidentally General Herbert will not be returning to West Africa from leave until at least the end of August, I believe, and if the Governor-General feels it necessary to consult the G.O.C. personally, rather than his Deputy, this might make the timetable suggested in (20) rather close).

5. While we must await the Governor-General's assessment of the internal security situation and the forces required, I should have thought that it would be unwise to contemplate halting or reversing Constitutional advance in an important Colony without having some British troops on the spot as a precaution and as a stiffener. This was thought necessary in British Guiana⁵ and has been recommended, should the circumstances arise, for Singapore.

6. Although the international situation has eased somewhat and some of the U.K.'s overseas military commitments have been wound up, I do not think it ought to be assumed that it would be at all easy to find British troops for Nigeria. The request would not be popular with the Chiefs of Staff. The chain of Colonial commitments for the British Army seems to be continually growing. Malaya, Hong Kong, Kenya and British Guiana all show no sign of ending; a battalion has recently been sent to Aden; troops have been at stand-by for some time for British Somaliland; what should be a strategic reserve in Cyprus may well get tied down by local internal security duties; Singapore is now looming. All this lends weight to the need to take the Chiefs of Staff into our confidence, meaning not only informing them, but shaping policy in the knowledge of their expert advice. It would be a pity to embark on policies of strength in the Colonies unless we knew that the strength was going to be available.

J.S.B.
27.7.55

My own inclination, like that of Mr Bennett, is to warn sooner rather than later (re. min of 14/6).

As to method, I think it would be making rather much of the information we have at this moment to go straight to the C.O.S.—the trouble does not seem to be imminent enough for that. I am inclined to think that it would suffice—and be appropriate—to put a paper to the J.I.C. for information (linked to the recent 'chatty

³ Sir Gerald Templer, chief of the imperial general staff, 1955–1958. His report is in CAB 129/76, CP(55)89, 23 Apr 1955.

⁴ Lt-gen E O Herbert, GOC, West Africa Command, 1953–1956. See 309.

⁵ In late 1953, following the suspension of the constitution, British troops were despatched to British Guiana, see S R Ashton & David Killingray, eds, BDEEP series B, vol 6, *The West Indies*, 17.

despatch' which was given Cabinet distribution) making it clear that the object is to prepare the way & give the background for the security assessment which will follow.

C.C.
28.7.55

As regards preparing & educating public opinion here, it occurs to me to wonder whether anything could be arranged on the public relations front. I do not know what the 'run' of informed articles has been lately: but a visit or objective articles by someone of serious-minded middle-to-leftish persuasion might do a great deal of good. I have in mind someone of the Vernon Bartlett⁶ type—he personally is not in the running, having settled in Singapore. This might be considered?

C.C.
28.7.55

Sir T. Lloyd

The question has arisen how far we should tell the defence authorities about possible future developments in the Eastern Region of Nigeria. Please see the above minutes on this subject.

I have discussed with Mr. Carstairs.

We agree in thinking that the possible developments are too distant and hypothetical for it to be necessary as yet to tell the Chiefs of Staff. Equally we do not think a memorandum to the J.I.C., which would receive fairly wide circulation, is called for. What we suggest is that he or both of us should have a word with General Oliver, the new V.C.I.G.S., to tell him what may be in the wind.

May we have authority to proceed accordingly?

As regards Mr. Carstairs' postscript I think the idea of visits and objective articles by serious middle-to-left journalists a good one, quite irrespective of whether or not H.M.G. eventually decide to suspend the promise of self-government to the Region, and we will pursue this separately on an other file.

If, of course, a decision to suspend were to be taken, the publicity side of it would require a great deal of thought. But the time for that is not yet.

C.G.E.
28.7.55

Mr. Eastwood

I agree that General Oliver should be told of this but he cannot, I think, be expected to accept light-heartedly the responsibility of keeping the knowledge to himself. It would be well therefore to take the line with him that there is no question of any immediate security risk and that we are telling him of this now so that the War Office will know what is in the wind if they hear from the G.O.C., West Africa, that the Governor-General has sought his advice about the assessment for which we have called in No. 20. General Oliver could also be told that if the suggested meeting with the Governor-General and Governors takes place we will be mindful of any need to keep the War Office in touch with its proceedings and results.

T.K.L.
29.7.55

⁶ South-East Asia correspondent of *Manchester Guardian*, 1954–1961.

311 CO 554/1030, no 22

3 Aug 1955

[Control of police]: letter from T B Williamson to R F A Grey on the impact of regional self-government on the control of police

Would you kindly refer to Hugo Marshall's secret and personal letter to me (185/35) of the 4th July about the problem of police arrangements in Nigeria at the stage when the Federation as a whole will be dependent but one or more of the Regions may be self-governing, and about how the Governor-General is to be enabled to exercise his powers to preserve public order, and the constitution, throughout the Federation?¹

2. I would first like to let you know that work continues here on the problems which the 1956 conference will have to face, and we hope to send to you (and to the Regional Governors) from time to time papers for your consideration and comments. We have already made good progress with the draft of a fairly comprehensive paper on what Regional self-government (within the terms of paragraph 28 of the London Conference Report) will mean, and of its effect on the position of the Cameroons. It is our intention that that paper shall contain *inter alia* draft provisions to give effect to the important proviso in paragraph 28. Our Legal Advisers are wrestling with this now, and we have told them that we want something which will be all-embracing and 'tough'. I am hopeful that they will produce something under which, for example, the Governor-General (meaning in this context the Governor-General in Council, but with his reserved powers in the background for use if necessary) will be empowered when necessary to give directions to persons not in the service of the Federal Government, including, e.g. administrative and other officers in the service of Regional Governments and policemen in Local Government and Native Authority Forces. We are aiming to get this paper to you by early September, but please do not bank on that date too much.

3. On the subject of revenue allocation I think we have carried matters as far as we can for the present, and you should now have received confidential despatch No. 2024 of the 28th July.

4. In the secret and personal correspondence which preceded that despatch we have clarified our ideas on the subject of 'fragmentation', and we all know more or less where we stand at the moment. I doubt whether a paper could usefully be written on fragmentation until much nearer the conference: anything written now might well require modification in the light of subsequent developments.

5. Coming now to the question of the police, we will certainly see what guidance we can obtain from experience in other Federations, and if we find anything useful we will let you know. We shall need the information anyway in case precedents from other countries are quoted against us at the 1956 conference. But I doubt very much whether we shall find anything that really fits the circumstances of Nigeria, and having given much thought to the problem over recent months I would like to let you know how my mind is now working in the direction of a possible solution, and to seek your views on it.

¹ See 285. During 1955 the Western Region government increasingly pressed for greater devolution of control over the NPF. Both the CO and the Federal government however, insisted on central control. 'I still think of this as a sticking-point' wrote Grey, (CO 554/1030, no 31, Grey to Williamson, 20 Aug 1955) and the issue continued to be discussed through to the 1957 constitutional conference (see 362).

6. In the first place I would like to make the obvious point that, given the wording of paragraph 28 of Cmd. 8934² ('... the functions assigned to it now, or as amended by agreement in the future ...'), police (meaning in this context the Nigeria—or Federal—police) must remain on the Exclusive Legislative List unless H.M.G. were to agree to their being removed from that List. I take it we are all agreed that H.M.G. must resist, as a sticking point, any pressure from the Nigerian politicians for a change in that sense.

7. Second, we are advised, as you will know from my secret and personal letter WAF 49/404/01 of the 26th July about the Western Region Local Government Police Bill, that under the present constitution a Bill which established police forces which in name were Local Government or Native Authority Police Forces but which were in fact wholly under the control of the Regional Government would be *ultra vires*, if by wholly in that context were meant wholly and exclusively. Indeed our Legal Advisers latest view is that in their opinion the only police forces which Regional Governments can create are Local Government and Native Authority Police Forces, and that they cannot create any other kind of police forces. This view is, I think, in line with that of your Legal Advisers.

8. It seems to me—and this is the first point on which I would like to know whether you agree—that so long as the Federal Government is dependent and has a concurrent power over public safety and public order (Item 22 on the Concurrent Legislative List), the Nigeria police should remain an exclusive Federal responsibility, and that the provisions in Section 84 and the proviso to Section 98(1)(a) should be retained to ensure the insulation of the police, so far as their use and operational control are concerned, from Ministerial control. We shall also, I think, need to retain anyway the substance of the latter part of Section 136(1)—'... which consent shall, in relation to the use and operational control of the police, be given by the Governor, acting in his discretion'—even in the case of the Governor of a self-governing Region.

9. But assuming that we are agreed that a strong centralized police force should be retained so long as the Federal Government is dependent, I am none the less somewhat nervous at the prospect of handing over such a force to a Nigerian Prime Minister (or Home Secretary) at the final stage when Nigeria as a whole becomes independent. That stage may not be reached for many years yet, but it seems to me doubtful, to say the least, whether any political figure should be entrusted with such wide powers which could so easily be abused if they fell into unscrupulous hands. This, of course, does not apply only to Nigeria by any means. You will recall what was said in the Home Office note about the position of the police in England and Wales, which I enclosed with my letter of the 14th February last to Rankine: '... the Home Secretary, as the Minister primarily concerned with police matters, has extensive powers, but those powers fall far short of making him the executive head of a State police force, and he is not in a position to give orders to the different police authorities or the different police forces. The fact that the police remain a local service means that they cannot be used as the direct instruments of the Central Government ...'

² Report by the Conference on the Nigerian Constitution held in London in July and August 1953, presented by the Secretary of State for the Colonies to Parliament (London, 1953) Cmd 8934.

10. Might we not therefore turn to good account the pressure in the Western Region for the development of Local Government Forces, which—like the Native Authority, Forces in the North—might ultimately serve to provide some useful checks and balances as against a centralized Nigeria force? By ‘ultimately’ I mean of course after final independence. Whether at that stage a centralized force should remain, or be reduced or split up in some way, is a problem too far in the future for us to attempt to deal with now. Probably it will be considered right to retain such a force, but with certain constitutional or statutory safeguards against abuse.

11. In the secret and personal correspondence which we exchanged with the Western Region over the Western Local Government Police Bill (and of which copies were sent to the Governor-General and the Regional Governors) we mentioned three matters on which we felt it necessary to stand firm, and I will repeat them here for convenience, particularly as I think you will agree that they remain valid:—

- (a) Local forces must be kept local, i.e. not built up into a Regional force which might rival the Federal police. There should be no joint forces above provincial level;
- (b) the police must not come under the control of a political party;
- (c) Local Government (and Native Authority) police forces must not be armed, or trained to arms. If they were it would be the thin end of the wedge towards the formation of a force to rival the Nigeria police.

But at the same time, and subject to those three points, we think it is perfectly reasonable for a Regional Government to promote the efficiency of Local police forces to enable them to play a proper part in the maintenance of public order.

12. What I think the Secretary of State should aim to ensure at the 1956 conference is that responsibility for the use and operational control of local police forces shall not be vested in any (Regional) Minister, whether the Region is self-governing or not. (Equally it should not be vested in any local government council composed, or mainly composed, of elected representatives). There are several powerful arguments which H.M.G. could use to get this very important position accepted. First, there is the agreement reached at the London conference, and recorded in paragraph 22(i) of its Report: ‘The Conference agreed that arrangements should be made to avoid the danger of the police coming under the control of a political party’. You will recall that this stemmed from Mr. Lyttelton’s statement that he did not wish to see the police in Colonial territories fall under the control of any particular political party, and Mr. Awolowo’s agreement when he said ‘that his delegation fully agreed that the police should not come under the control of political parties’ (page 91 of African No. 1182 Confidential). It would surely be difficult for any Regional representatives at the conference to come out into the open against the establishment of such a principle.

13. Then there is the position of the individual policeman, as explained in the Home Office note to which I have referred: ‘. . . The other important factor is that the powers necessary for the preservation of law and order are vested in the individual policeman, who has been judicially described as “a ministerial officer of the Crown”, and that in enforcing the law he is subject to the orders neither of the police authority nor the Home Secretary. Neither the police authority nor the Home Secretary can give directions that a particular individual ought to be prosecuted, or that he ought not to be prosecuted. At the same time the policeman himself is not

above the law . . .'. And for good measure we could quote some paragraphs from the Young Report³ on the Gold Coast Police of November, 1951, viz.

'27. A British police constable* "is an officer of the law discharging the duties of an office of ancient constitutional origin. He is neither a government nor a municipal official, but he is a citizen serving the office of constable, thereby having certain power and being liable to certain responsibilities. He serves the Sovereign in the office of constable and is a servant of the State exercising an original authority. He is himself responsible for any misuse of his authority as constable." Each constable on appointment makes a declaration of service to the Crown before a magistrate. The terms of the declaration in use in the Metropolitan Police are as follows:—

"I, A.B., being appointed a constable of the Police Force of the Metropolitan Police District, do solemnly, sincerely and truly declare and affirm, that I will well and truly serve our Sovereign Lord the King in the office of a constable, and that I will act as a constable for preserving the peace and preventing robberies and other felonies, and apprehending offenders against the peace, and in all respects, to the best of my skill and knowledge, discharge all the duties of the said office faithfully according to law."

32. The Gold Coast police should be acknowledged as officers of the Crown exercising an original authority being neither members of the Civil Service nor employees of the Government. They should be independent from all executive control other than that exercised by their own superior officers. Any deviation from this principle cannot be other than the first step towards a police state.

33. This profound principle is one which has been traditionally accepted in the United Kingdom and has been confirmed by the highest authorities including, not only the Courts of Justice, but also by each of the Commissions appointed from time to time to enquire into the status and conditions of the British police.

36. In matters of financial and material provision the police must obviously remain dependent upon the Government through the Minister. As instruments of the law, they are also responsible to the law and must be personally answerable through the jurisdiction of the Courts for any abuse of office or trespass against the rights of any individual. Nevertheless in their essential responsibility for the impartial preservation of public tranquillity and for all executive acts they must be entirely independent from external influence and control.'

14. Whether we could get agreement that the constitution should explicitly say that no Regional Minister should be vested with authority for the use and operational control of local police forces I am not sure, but we ought to be able to get the

* Police Procedure and Administration—C. C. H. Moriarty

³ A E Young, *A Report upon the Gold Coast Police, November 1951* (Accra, 1952). See BDEEP series B, vol 1, R Rathbone, ed, *Ghana*, part II, 121.

principle agreed, and the restrictions on Regional Ministers' powers implicit in the instruments, if not explicit. After all, the undertaking that H.M.G. would give the Regions regional self-government does not necessarily imply that all powers must be transferred to Regional Ministers. There are other authorities in a Region to whom some responsibilities could be devolved.

15. To sum up this position, therefore, I suggest that we might aim at the next constitutional stage at the preservation of a Federal police force under the Governor-General's authority, and the maintenance and establishment in the Regions—or anyway in those Regions which want it—of a system of Local Authority (or Native Authority) Forces, with provisions for training, inspection and conditions of service which should raise them to a good standard of efficiency; but without their being armed or trained to arms.

16. No doubt the question of the efficiency and reliability of the Nigeria police will be raised at the conference. We have seen many criticisms in the Press, particularly the Action Group Press, in recent months of the Nigeria police, and although we have little doubt that many of these criticisms are inspired by spite or political motives, some of them probably have some substance and if so we are sure that everything possible will be done between now and the conference to ensure that the Nigeria police have a clean bill of health.

17. Two further points. There have been suggestions in some of the recent secret and personal correspondence that the Nigeria police might be armed, but not called into action until riots, etc., necessitated the intervention of armed police. I am pretty sure this would be wrong. Police who sit by with little or nothing to do for long periods deteriorate. We think that the Nigeria police should continue to exercise all their normal functions throughout Nigeria, and maybe—for the time being anyway—the Local Authority police should have more restricted powers. This seems to be the position secured by the recent Western Regional Local Government Police Bill: see the explanation of Clause 21(1) in paragraph 3 of Shankland's secret and personal savingram No. 13 of the 2nd June to me.

18. Second, what is the position of administrative officers in the Regions to be as regards their part in the maintenance of public order? Their responsibilities in this respect have been clearly safeguarded and defined in Rankine's recent White Paper (Western Region Sessional Paper No. I of 1955), and maybe there is something to be said for seeking agreement that they should be gazetted as Justices of the Peace as part of their functions even in self-governing Regions. I am very hazy about this, and should welcome your comments.

19. All this is provisional thinking at this stage, and I should be grateful if, after consultation with the Regional Governors as necessary, you could let me have views from your end. When we have them, we will aim at the first draft of a brief on the subject generally, which we would of course refer out to you for comment before submission to the Secretary of State.

20. Most of the ideas I have outlined above were discussed with Muller before he left on his present visit to Nigeria; and you may wish to discuss with him before he leaves Lagos for Sierra Leone.

21. I am sending copies of this letter to Sharwood-Smith, Pleass and Shankland; and also to Rankine at his leave address as I had a short discussion with him on this subject some three weeks' ago and should like to let him know how things are developing.

312 CO 554/1181, no 26

6 Aug 1955

[Eastern Region crisis]: letter (reply) from Sir C Pleass to Sir T Lloyd
on the possible repercussions of a suspension of the promise of self-
government to the Eastern Region

With reference to your Secret and Personal Letter of the 26th July, 1955¹ you accept my view that conditions do not at present exist in the East which would justify the suspension of the Constitution and that the rate of deterioration makes it unlikely that cause for suspension could be made out before the 1956 Conference. You go on to say that the Secretary of State would be prepared, if the Governor-General and myself so advised, to consider the possibility of withdrawing or suspending the promise of self-government in 1956 from the East on the grounds that 'It would be difficult for the Secretary of State to proceed with the grant of self-government to the East in 1956 if you still advise that chaos would be likely within a relatively short period thereafter, as this would not only be contrary to the interests of Britain in Nigeria, but it would also be likely to bring serious discredit on British Colonial Policy as a whole. There is also the important point that the Federal Government (and probably certain other Governments in the Federation) would still be dependent at the time and that H.M.G. would therefore still be ultimately responsible for the discharge of Federal functions in the East (cf. the proviso in paragraph 28 of the London Conference Report).

2. In considering this matter there are numerous relevant factors which should be examined:—

(i) A definite undertaking to grant self-government on certain conditions was given to the leaders of the political parties of this country by the Secretary of State at the London Conference, in paragraph 28 of the Report of the London Conference:—

'The Conference eventually accepted a declaration of policy that in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible'.

It must be presumed that such an undertaking was only given after the most careful consideration by the Secretary of State² and that before giving it, he thoroughly weighed both the advantages and the disadvantages. When an undertaking has once been given to Nigerians it should never be withdrawn, save for the most compelling of reasons. I doubt whether the mere anticipation of trouble in the future—which is not new—can properly be described as sufficiently compelling.

(ii) One of what might almost be called the foundations of the present Constitution was the promise of Regional self-government in 1956, subject to certain

¹ See 308.

² Williamson noted in the margin at this point, 'I am not sure that this perception is correct'.

conditions. If that promise were to be withdrawn, one of the foundations of the present Constitution would be withdrawn and there would therefore have to be some alteration in the present Constitution. For example, in the present Constitution the Governor is a member of Executive Council and presides over the Council; he takes full part in all the discussions and, unless he chooses to exercise reserve powers, he must as a result of the doctrine of collective responsibility, accept his share of the responsibility for decisions with which he does not agree. The position is one of extreme difficulty (although I believe it to be entirely right that the Governor should preside over Executive Council at this stage) and it quite frequently happens that when the Ministers have agreed upon their line of action, the Governor is the only person present to put forward obvious objections to that line of action. If the promise of self-government in 1956 were withdrawn, unless modifications were made to the Constitution the Governor would be placed in a quite impossible position.

(iii) It is probable that if that promise were withdrawn the Ministers would resign. If there were elections the same Party and the same men would be returned and it would rapidly become impossible to work the present Constitution.

(iv) The withdrawal of such a promise in so far as the East is concerned would have repercussions in the Western Region and at the Centre. Quite apart from the damage caused by what would be regarded as a breach of our word, it is probable that the N.C.N.C. in the East would boycott the Centre, and that means that one part of the Federation would not be represented in the Federal Government. From this would arise increased hostility towards the Centre, thereby making it more difficult for the Federal Government to carry out its functions in this Region.

(v) The possibility that a large percentage of the British Civil Servants would elect to go is not a good reason for the withdrawal of the undertaking already given because it is not fresh knowledge. The possibility of it happening was well known to the Colonial Office and, indeed, the Conference before the promise of self-government was made, and it was fully in the minds of all those present at the Conference when the undertaking was given and when the undertaking to pay compensation for loss of career was written into the Conference Report.

(vi) You say: 'One of the difficulties is that while you and we know that many of the present Ministers are quite untrustworthy, it will be very hard to build up a case which will be thoroughly convincing to the public either in Nigeria or this country'. How true this is. I am preparing, at your request, a full statement of the shortcomings of the Ministers, but it will be very difficult to publish a great deal of this information because, of course, some of it is obtained from Permanent Secretaries and other Government officers, and clearly it could not be made public without exposing them. I do not believe that the case which could be built up would be such as to justify the withdrawal of the promise of self-government.

(vii) A point, the importance of which should not be under-estimated, is the build-up which Zik has succeeded in making for himself in America. I am not, of course, in a position to assess the degree of this build-up, but I understand that it is substantial, and unless there were extremely good reasons for taking the action you suggest, it is likely that unfavourable reactions would be provoked in America.

(viii) There is undoubtedly a leaven beginning to work in this Region. Opposition is growing to the policies of the N.C.N.C., e.g. raiding the Marketing Board funds. Many thinking people now realise what is happening and in their heart of hearts are afraid of self-government in 1956, though whether their opinion will have assumed

concrete shape and find expression by that time is very doubtful. The withdrawal of the promise of self-government would cut the ground from under the feet of the more responsible element and compel them to join with the N.C.N.C. in opposition to us, since it is political suicide for any Party to oppose self-government now. If it is possible to extend the representation at the Conference, perhaps something unforeseen might eventuate.

(ix) So many expectations have been raised of better social services, etc., by the politicians which are, in fact quite impossible of realisation, that if either the Constitution were suspended or the promise of self-government withdrawn and the Constitution modified, the entire blame for the failure to realise these expectations would fall on us: nothing we could say or do would persuade the people of the Region that they could not have been realised had their own people remained in office. Inevitably the people are going to be disillusioned, but it is better that they should be disillusioned as a result of the failure of their own people than that they should be disillusioned as a result of our actions.

3. If the arguments against suspending the Constitution are sound—and you have agreed that they are—then I submit that the arguments against withdrawing the promise of self-government at any stage before the 1956 Conference are stronger and more weighty.

4. This does not mean that I consider this Region is fitted for self-government in 1956. In my opinion it will be quite unfitted, nor do the great majority of the people desire self-government. In saying this, I am not being wise after the event. I gave the same advice in 1953 before the London Conference, and in this connection I attach a copy of a minute which I wrote on the subject and sent to the Chief Secretary in July, 1953.³ I do not say this in the spirit of 'I told you so', but solely in order that you may appreciate the fact that if I thought that it would be advisable to withdraw the promise of self-government I should be pre-disposed to say so. But the promise having been given, adequate reasons for its withdrawal do not in my opinion exist, while the disadvantages of doing so greatly outweigh the advantages of such a course.

5. I would suggest that the best course of action would be for these matters to be brought out into the limelight in the discussions at the 1956 Conference, when it may be possible to show how unrealistic and unfitted for their job most of the Ministers are. It may be that if representatives of those areas which desire to be formed into separate so-called 'states' attend the Conference, a solution of the problem may be forthcoming along the lines of a strong Federal Government with more component 'states' having a lesser degree of autonomy than the Regions now enjoy. Such an arrangement would necessarily imply that the promise of self-government to Regions became of no effect. It would, moreover, be in conformity with what the N.C.N.C. themselves say they have set as their policy and it is a solution, therefore, which presumably they would find it difficult convincingly to oppose. Admittedly the major opponents of this will be the North, but it may be that the North should be called upon to accept some such arrangement in the interests of Nigeria as a whole.⁴

6. I feel sure that the best course of action for the present is just to keep plugging away and trying to convince the Ministers of the unrealistic and unsatisfactory

³ Not printed.

⁴ Williamson noted in the margin at this point, 'Oh! Lennox-Boyd added!'

nature of some of the courses of action they are adopting. I must confess, however, that I think it improbable that this will produce any marked improvement before the Conference.

7. I am, of course, entirely willing to come home for discussions at any time which is convenient to the Secretary of State. I had thought of asking for the Secretary of State's permission to take six weeks' leave from about the beginning of November to about the middle of December, because a new roof has to be put on Government House, Enugu, during this dry season. If the arguments which I have adduced in this letter prove acceptable to you, perhaps that would be satisfactory. If, however, they do not prove acceptable, I am, of course, at your disposal to come earlier.

8. It has now been decided that Zik will visit the United Kingdom for about two months, sailing from Lagos on the 30th August. He is coming mainly in connection with business about the formation of some of the new Corporations and is hoping to interest Companies in England in the projects which those Corporations are set up to undertake. For example, he hopes to see the J. Arthur Rank Organisation with regard to the Cinema Corporation and Waterlows with regard to the Printing Corporation.

9. I agree that the present difficulties could not be overcome simply by the Secretary of State presenting a solemn warning to Zik to mend his ways, partly because at this stage the Secretary of State has no official knowledge of some of the greatest ineptitudes of the Ministers. I do not, however, know exactly what is implied by the words 'solemn warning'. If by these words is meant something like a threat that if Zik did not mend his ways then this Region would not get self-government, then I can only advise that at this stage such a warning would do much more harm than good. Zik will obviously expect to meet the Secretary of State, and I would advise that the Secretary of State should meet him and that the discussions should deal with matters of which the Secretary of State has official cognizance, e.g., the Constitutional difficulties which arose in February and March, the establishment of Corporations, etc.

10. As I have said before, I think that the best forum for a full discussion will be the 1956 Conference, although I am as yet undecided as to the best means of bringing before that Conference some of the information that I think the Conference should have. I should like to consider this further before making suggestions to you.

313 CO 554/1181, no 27

7 Aug 1955

[Eastern Region crisis]: letter from Sir J Robertson to Sir T Lloyd arguing against a suspension of the promise of self-government to the Eastern Region

In your letter of July 26th,¹ with which you sent me a copy of your letter of the same date to Pleass,² conveying the views of the Secretary of State on the deteriorating state of affairs in the Eastern Region, you asked whether I could conveniently come home for a few days at the end of September for a general discussion with the

¹ See 309.

² See 308.

Secretary of State. I hope that after my recent visits to the Regions (brief though they have necessarily been) and from what I shall have learned of Nigerian affairs by the end of September, I shall be able to take an effective part. For reasons which are entirely personal, it would suit me much better if the visit could be a little later (say in the week beginning on October 10th) but I appreciate that this would deprive us of the advantage of Rankine's presence in England unless he can remain a few days longer in the United Kingdom. I also do not know how the proposed timing fits in with Pleass's plans.

During my visit to Enugu, I had as full discussion with Pleass as time permitted. I also discussed your letter at length with Marshall before his departure. I fully share, Pleass's view (and I am much relieved that the second paragraph of your letter to him records your acceptance of that view) that conditions in the Eastern Region do not at present justify a suspension of the Constitution. Grave though the conditions are, the consequences, both in the Region and over a far wider field, of the suspension of the Constitution would be graver still, and in my view that is not the remedy.

Your letter to Pleass suggests the possibility that a remedy might be found in the withdrawal or suspension of the promise of Regional self-government in 1956, and you assure him that the political difficulties, in both Nigeria and the United Kingdom, are not underrated. The performance of the Azikiwe Government has been so disreputable that one can hardly suppose that the then Secretary of State would have felt able to make at the London Conference the promise of Regional self-government had he foreseen how far short Zik and his followers would fall of what might reasonably have been expected of them. There can be no doubt that in justice they have merited the withdrawal of that promise. But whether the world at large could be made to see the justice of withdrawal and whether withdrawal would improve the state of affairs in the Eastern Region and not make it even worse are very different questions.

The general sense of Pleass's letter to Williamson of June 22nd,³ and my understanding of the situation from what I have seen and been told are that although Zik and his Government have lost some ground politically (para. 5(c) of Pleass's letter) and although some individual Ministers are held in contempt by their own people (see Pleass's remarks on Ojike, Akpabio and Imeh in his letter of July 11th), there is as yet no general public understanding of how badly the Region is being served by Zik and his men. The corrupt practices of which we know and those which we suspect are doubtless better known to many Nigerians than they are to the British officials. No doubt too there are people who are personally aggrieved by them and would be quick enough to turn publicly against the Ministers if they thought that the wind blew strongly enough in that direction. But the corruption will not be known widely enough, nor will it be widely enough deplored (for the tradition of these people is one in which public power is exercised for personal profit) for there to be any general revulsion against the Ministers as a body. The moral cowardice and irresponsibility of Zik himself and his complete incompetence as a leader are sufficiently proved by Pleass's account, in his letter of July 11th, of Zik's failure to do anything about the evil Mbonu Ojike—other than to seek advice from the very Governor who had so recently been depicted as the obstacle in the way of the proper

³ See 301.

aspirations of the people and their chosen representatives. There are probably many who know just how pusillanimous Zik is; but there are very many more for whom he still has the 'mystique' which brought him to power. It is probably less effective than it was but it would still suffice to sway the mob, particularly if he were presented with an excuse to parade himself as the champion of the oppressed Nigerian against the deceitful 'Imperialists'. Not enough has yet been made public of the Government's inadequacies and failures to prevent an announcement of the withdrawal or suspension of the promise of Regional self-government in 1956 from strengthening support for Azikiwe and relieving him from the ever-increasing threat of opposition within the Region. You have noted this difficulty in the sixth paragraph of your letter to Pleass, where you ask that he should build up a record of ministerial shortcomings which could be the first draft of a White Paper to explain to Parliament the action of Her Majesty's Government. I think it unlikely (and I believe Pleass agrees with my view) that between now and the end of September the Ministers will have openly committed such follies or crimes as to make it easy publicly to discredit them within the Region at that time or within a few months thereafter.

Then one must consider the effect on the other Regions. It may be—I could not as yet be sure, nor does it need at this time to be put beyond doubt—that the North would understand and approve the withdrawal from the East of the offer of self-government. They would look upon it as a set-back to Southern aspirations and a blow to the Ibo whose domination is so much feared. But I think it likely that, while the Action Group leaders in the West would take some delight in seeing Zik discomfited, they might feel impelled to make common cause against Her Majesty's Government lest their own shortcomings should be similarly punished. And one must take serious account of the possibility of a genuine belief that Britain had never intended to stand by the promise.⁴ Even if those who had such a belief were few in number, such action would be effectively exploited by all who for any reason wished to embarrass Her Majesty's Government. I need not try to peer so far into a very uncertain future as to attempt to prophesy what would be the effect in the West if there were Regional elections there fairly early in 1956 at which the N.C.N.C. were victorious and an announcement of withdrawal from the East of the offer of Regional self-government had then to be made.

Unless a crisp, concise and convincing list of the faults and shortcomings of the Ministers can be prepared—and their very fecklessness and incompetence and confused irresponsibility is a good reason why it will be difficult to do so—it would appear to me very hard to avoid an unfavorable reception in the United Kingdom and in the outside world for the withdrawal of the offer made in 1953; though this is of course a point which you will be able to assess far better than I can.

You ask (in the third paragraph of your letter to me) that I should bring with me to the meeting or send in advance an assessment of the effect on the security situation and public order in Nigeria generally of a possible suspension of the promise of self-government. My first thought is that as we are all agreed that conditions do not justify a suspension of the Constitution and are for that reason considering the possibility of the suspension or withdrawal of the offer of self-government, your question must be answered against the background that we should still be saddled,

⁴ Williamson noted in the margin at this point, 'But we would stand by it—for the West'.

after the suspension or withdrawal had been announced, with the same Ministers as now we have in the East. Pleass would still have to work with them. The suspension or withdrawal would have been ordered not so much because of the incompetence of the Ministers as because of their irresponsibility; but I do not think that it would cure them of irresponsibility, nor make them easier to work with. The effect would be excellent if it were to change public opinion so that the electorate would withdraw its support from these Ministers unless they mended their ways. But Pleass's experience has too frequently been that, when Ministers are checked or warned of the consequences of their acts, they do not mend their ways; they become even more irresponsible. An example is the Minister of Education, Akpabio, who is said to have threatened to break every voluntary agency in the East if they did not do as he wished—and yet the whole of the educational arrangements in the East depend on the voluntary agencies. We might expect then that there would be widespread civil unrest which would be encouraged rather than suppressed by some at least of the Ministers. It seems highly probable that so grave a blow to Azikiwe's pride and aspirations as the withdrawal of the offer which he triumphantly described on his return from the London Conference as an offer of self-government on a golden platter would make him urge on the six N.C.N.C. Ministers of the Federation that they should withdraw from the Council of Ministers. There might well be disturbances in the Western Region and in Lagos even if there were none in the Northern Region. And all this at a time when the efficiency of the whole governmental machine throughout the country is already lowered by the lack of competent men, whether expatriate or Nigerian, to fill the growing list of vacancies in the Public Services.

I could not at this early stage of my administration attempt to assess so precisely the scale of possible unrest as to estimate the amount of outside military assistance that might be needed. Nor would I think that the problem should at this time be viewed from that angle. I have sought to show that the course suggested would be inadvisable because it would fail in its purpose; there are other considerations which lead me to advise against it.

It is a regrettable fact—and here my own reading of papers in Nigeria supports the views of my advisers—that Zik and his followers have no settled political ideology, no political programme to which they are firmly committed; they are opportunists and they act as they think most expedient at the time; nor do they seem to have had great difficulty thus far in explaining away their successive changes of front. Are we certain that the 1953 offer of Regional self-government will still be a live issue in 1956?⁵ Recent pronouncements by and on behalf of Azikiwe suggest that he and his party will go to any Constitutional Conference in 1956 determined to ask not for the strengthening of the Regional organisations to which self-government was offered but for the abandonment of those organisations in favour of a strong⁶ Federal government of a Federation composed of a number of small units. There is no certainty that this will be their demand when the time comes but, if it is, then the 1953 offer of Regional self-government will be irrelevant as far as they are concerned. Then too the Action Group have declared public support for the principle of a Mid-West 'State' and, in Rankine's Secret and Personal letter to you, No. S.40/1 of June

⁵ Williamson noted in the margin at this point, 'All but, according to Sir J Rankine'.

⁶ Williamson noted in the margin at this point, 'It is strong'.

13th, he said that Awolowo had answered a question from him by saying that this meant a new and separate Region, not merely a State with some degree of autonomy within the present Western Region. On the other hand, when I paid my official visit to Ibadan, I was publicly assured by Awolowo that his party desired no major alteration in the system of Regions as now constituted: 'Any attempt to disturb the present structure in any fundamental manner, or to reverse the present relationship between the Federation and the Regions, will only lead to adverse consequences, the scope and extent of which I will not dare to predict'. The enthusiasm of all parties for self-government is probably diminished even though they do not publicly admit it. It may well be, therefore, that if and when we come to a Conference in 1956 the offer of self-government which was made in 1953 will no longer be a live issue by reason of acts of the Nigerian politicians themselves. In such circumstances it surely would be inept to provoke a political crisis, the extent of which can not now be measured, by withdrawing or suspending an offer which may in the event be inapplicable and impossible of fulfilment. Such a course would be justified only if we were sure that the withdrawal or suspension would effect an improvement in the standard of government in the Eastern Region; and I am almost certain that it would not.

What then can be done to check the deterioration of affairs in the Eastern Region? It is an attractive solution, at first sight, to let matters get worse in order that they may get better, to stand aside from the follies and wickedness of the Ministers and 'let them go to hell in their own way' in order that the public may learn by experience just how bad a Government they are. But we can not conscientiously do this. Pleass has stated, in para. 5(c) of his letter to Williamson of June 22nd, that he would not go so far as to say that reserve powers should never be used 'however fallacious or dishonest or even undemocratic the measures which the Ministers may wish to use'. I agree with him that if the ministerial proposals were too bad and reserve powers were not used, faith in us would be lost by the more sensible members of the public and by the Service. The Governor must, therefore, battle on, continuing his warnings against unwise or improper proposals and exercising his reserve powers in cases of such gravity that otherwise public faith would be destroyed. From all I hear, Ojike is the principal villain in the East and I am confident that Pleass will lose no opportunity of stiffening Azikiwe's courage and resolve to remove Ojike from the Council for good cause. He can say better than I can whether any of the others is likely to respond to warnings and advice; from all I hear it is unlikely. Zik himself is susceptible to advice, particularly if given in an atmosphere untroubled by his worse associates, but he seems seldom to have the strength of purpose to follow the advice he knows to be good if there is any danger of his running into trouble over it.

Although in my opinion a public announcement of intention to withdraw or suspend the offer of Regional self-government is, for the reasons I have given, to be avoided, there might well be considerable advantage in a blunt exposition by the Secretary of State to Azikiwe in London of the dangers to his own ambitions of failure to improve the standard of his administration. In saying this, I do not ignore the arguments set out in the seventh paragraph of your letter to Pleass. But what I believe we must try to achieve is an *immediate* improvement in affairs in the East. The future is still too uncertain for us to reject action which might be of some immediate help merely because Zik might give an assurance and, as a result, obtain self-government in 1956 and then later on repudiate the assurance. Surely we must take one step at a time and it seems to me far too early yet to know for certain

whether the London offer of self-government will still be a live issue at a Conference in 1956. We shall, whatever happens, have to keep these problems under unceasing examination and I am not so optimistic as to think that we shall not at some later date have to consider whether *any* constitutional advance can be permitted to an area as ill-served by its politicians as is the East at present. But I am satisfied that there should be no public suspension or withdrawal of the 1953 offer now; and I think that some immediate good might come from frank discussion between the Secretary of State and Azikiwe.

I am, however, very gravely perturbed about the expatriate Service—and there are many non-expatriate public servants whose unhappiness also gives me cause for concern. Pleass's estimates of the time likely to elapse before his Ministers' folly brings chaos in the East have all been based on the continued presence of competent public servants in adequate numbers (using the word 'adequate' in its present pathetic sense of the barest minimum who can still get the job done); but the recent decisions of his Government on the Gorsuch recommendations may remove more officers even before the 'compensation on self-government' stage is reached. The rejection of the recommendations specially designed to ensure for the Public Service the continued presence of the members of the group that it is most difficult to attract, the married men with young families, is bad enough. But when there is added to this the legislative approval for undisclosed increases in the remuneration of legislators and Ministers, the effect on the Service is likely to be disastrous. I am therefore all the more grieved at the disappointment of my hope that we should have had before this a public announcement of the vivid and imaginative gesture on the part of Her Majesty's Government in the United Kingdom that our representatives at the recent talks in London thought was likely. If I may be bold enough to say so, I find it hard to reconcile the apparent readiness at least to consider the possibility of the extremely serious political action which is the subject of your letter to Pleass and furthermore to visualise the possibility of enforcing that action with 'outside military assistance', with the extreme hesitancy to accept proposals designed to prevent the disintegration of effective public services in this most important dependency: especially when these would involve Her Majesty's Government in little more than a novel way of discharging overseas responsibilities and an open acknowledgement of liabilities which are in any case in my view morally binding. The best moment to arrest the deterioration in Service morale has been allowed to pass; it is vital that action, although belated, should be taken soon.

I have sent copies of this letter to Sherwood-Smith, Pleass and Shankland and to Rankine on leave.

314 CO 554/846

23 Aug 1955

[New regions]: minute by M G Smith on Nigerian political parties' policies concerning the creation of new regions

Mr. Gorell Barnes

I believe that you know about the general subject matter of these papers although you have not seen this file before. At (2) is a note of the Secretary of State's

discussion in January with Western Region Ministers about their proposal for the creation of a Mid-West State. At this discussion the Secretary of State said that H.M.G. would not favour the division of the present Regions into a greater number of small States. This discussion was followed up in the secret and personal savingram from the Secretary of State at (4) in which he set out the objections to 'fragmentation' and asked for the comments of the Governor-General and Governors.¹ You will not wish to read all these but you may care to look at paragraphs 1 to 10 of Sir Hugo Marshall's reply at (10).² Later correspondence, although dealing with 'fragmentation', has also discussed more generally certain preparations for the 1956 Conference including the question of a fiscal review and you may care to look at Sir T. Lloyd's letters at (12)³ and (25).

The immediate issue is the passage by the Western Region House of Assembly of the motion enclosed with (40).⁴ On this Mr. Shankland gives full background information in his secret and personal letter at (41). The various fluctuations of interest in this question in the West, both among politicians and the public, are I think rather humorously brought out by comparing Mr. Awolowo's statement about the urgency of the question in paragraph 15 of (2) with Sir J. Rankine's assessment at (16) and now the free vote of the House at (40). It is of course clear enough that this latest motion, and indeed all the Action Group interest in a Mid-West State, is purely for political purposes and the questions for consideration are whether the Action Group are likely to make this demand a permanent feature of their policy, and how far it pays H.M.G. at this stage to take particular note of it. In the first place I think it is quite clear that the Action Group have at present an eye not so much on the 1956 conference as on the Regional elections which they are planning to hold next spring, i.e. before the Conference. With their defeat last year in the Federal elections they cannot be at all sure of their hold on the Region (although the Governor himself thinks they will win this forthcoming election) so that in their eyes this demand for a separate State is made primarily to out-manoeuvre the N.C.N.C. Zik has also recently been setting out at some length his views on 'fragmentation' and indeed has been listing the number of States over Nigeria as a whole that he would like to see set up. Zik is probably consistent in this because he wants a return to a stronger Central Government which with sufficient 'fragmentation' he might hope to capture. But it is very doubtful whether the Action Group have much to gain from 'fragmentation' as they are very keen on Regional self-government and must surely realise that this is incompatible with 'fragmentation'.

Unless there is an unexpected cleavage in the North the North is likely again to oppose 'fragmentation' very solidly in 1956, and between this opposition and the realisation that 'fragmentation' cannot go hand in hand with Regional self-government it seems likely that 'fragmentation', at least as a conception extending to all Nigeria, may die a fairly natural death without H.M.G. having to execute it. There seems, therefore, no advantage in H.M.G. showing its hand at the moment in the formal reply required to (40) and I agree with Mr. Ryrie's brief draft acknowledgment.

¹ See 287.

² See 291.

³ See 293.

⁴ A motion to create a Mid-West Region was adopted by the Western House of Assembly in June 1955.

315 CO 554/1159, no 13

5 Sep 1955

[Political situation]: despatch no 34 from Sir J Robertson to Mr Lennox-Boyd reviewing the political situation in Nigeria

It is just seven months since Sir John Macpherson, in his despatch of the 4th of February, set out in general terms the background to the present political situation in Nigeria and gave an appreciation of the constitutional progress made during the past few years. I arrived in Nigeria in mid-June, and as I have now had an opportunity of paying brief visits to the three Regions and to the Southern Cameroons, this seems to be a suitable time to record my first impressions of the country and its problems.

2. Considering the difficulty experienced in forming the Federal Council of Ministers at the beginning of this year, the Council has so far worked very well. You will recall that, under the present Constitution, the Council, in addition to the three official members, is composed of three Ministers from each Region and one from the Southern Cameroons. Thus, although the Northern Peoples Congress (N.P.C.) is the largest party in the House of Representatives, it has only three Ministers, while the National Council of Nigeria and the Cameroons (N.C.N.C.), the party led by Dr. Azikiwe which gained a majority in the Federal elections in both the Eastern and Western Regions, has six, and the Action Group, which is the party in power in the Western Region, is not represented in the Council at all. During these first months, any fear that the N.P.C. and the N.C.N.C. Ministers could not long be bedfellows has proved to be unnecessarily pessimistic, but it is regrettably easy for the N.C.N.C. to make their N.P.C. bedfellows restless. On the whole, the Ministers have co-operated well and the stronger characters among them have learned to respect one another; but the three Northern Ministers, and Mallam Abubakar Tafawa Balewa in particular, remain acutely conscious of the differences of thought, of aim and of principles between them and their N.C.N.C. colleagues, even K. O. Mbadiwe, who has shown the greatest approach to realistic co-operation and statesmanlike appreciation of Northern points of view of any of the N.C.N.C. Ministers. There are compensations, as well as disadvantages, in this enforced coalition: because of the presence of two major parties and the three Official Members in the Council, most proposals are considered on their merits and decisions are not predetermined by a party-line. But where the matter in issue is one which involves the Action Group Government of the Western Region or which raises controversy in which the Action Group is definitely committed, the discretion of the N.C.N.C. Ministers flies out the window and party politics prevail. The composition of the Council tends towards stability so long as no serious North-South conflict of interests arises—and fortunately there has been none such in recent months. It is too early yet to say that the Ministers are thinking as Nigerians and not solely as party politicians, but it is heartening that there has been an increasing disposition so to think on many important subjects. In all this the sole Minister from the Southern Cameroons plays little effective part. Pleasant and thoughtful though he is personally, he can not or will not understand that he is there as a member of a team. He is concerned only with his own Southern Cameroons and contributes only when he thinks a Southern Cameroons interest is affected. The absence of the Action Group from the Council of Ministers has made the conduct of business in the House of Representatives more realistic. In the meeting just finished there were several occasions when party discipline, particularly within the N.C.N.C.,

triumphed over maverick tendencies of individual members. When all the major parties were represented in the Council of Ministers, there was no parliamentary Opposition; but neither was there any clearly recognised obligation to support the Government, which at times found itself facing hostile action all over the House. Now there is an Opposition, consisting of the Action Group and the United National Independence Party, the latter being the Opposition party in the Eastern Region; and there is an officially recognised Leader of the Opposition, Chief S. L. Akintola, a former Central Minister. He is a skilled debater and although he contributes more often than he should to debates he does keep the Government on its toes. But the Opposition coalition is not over-strong and too much is heard, often in a sense contrary to that expressed by the Leader, from Jaja Wachuku, an Ibo lawyer from Aba who leads the U.N.I.P. contingent. The standard of debate in the House has sadly fallen. There are too many 'backwoodsmen' among the Government supporters and there is too much reliance by the Opposition on unseemly interjections which are justified only because they are so effective in upsetting the unskilled speakers. But there is a greater emergence of the Party system of conducting business and the N.C.N.C. discipline survived the severe test of three revolts against the party-line each of which was led by the party's Chief Whip, the egregious Mr. T.O.S. Benson, recently returned in triumph by the electorate of Lagos West after being unseated on an election petition. His antics were a source of shame to his party-leaders but his complete irrepressibility is presumably regarded by his constituents as a virtue and his popularity with the Lagos electors is presumably regarded by his party as a valuable asset.

3. The fact that the Action Group, alone of the parties in power in the Regions, is not represented in the Council of Ministers, inevitably creates a situation of some delicacy in the relations between the Federal Government and the Government of the Western Region. Nor is the situation eased by the fact that the Town Council of Ibadan is controlled by the N.C.N.C., with Mr. Adegoke Adelabu, the Federal Minister of Natural Resources and Social Services, as its Chairman. The control by their political rivals of the most populous town in the Region and the seat of government is a constant thorn in the flesh to the Western Regional Ministers and a provocation they occasionally find it difficult to withstand. Nevertheless, the attitude adopted by the Federal Ministers to the Western Regional Government, in Council and in their Ministries, if not always cordial has invariably been proper. Relations with the other Regions and the Southern Cameroons have been good.

4. It is a matter for regret that the N.C.N.C. Ministers have not been equally moderate and circumspect outside the Council Chamber and their Ministries. In those party matters which were bound to put them at loggerheads with the Western Regional Government they have been both tactless and foolish. When that Government, after a long delay, published the Lloyd Report on the Oyo riots¹ and decided, against the recommendations of the Report, to suspend and banish the Alafin, the N.C.N.C. Ministers, although it was no concern of the Federal Government, were unable to resist the temptation—if, indeed, they ever tried—to throw themselves into the fray. The N.C.N.C. was deeply committed to the support of the Alafin and a number of public statements were made by Federal Ministers which

¹ See 271.

could not fail to damage relations between the two Governments. Nor has Mr. Adelabu's conduct been above reproach though he has been subject to considerable provocation. By reason of an alleged technical breach of the Local Government Law, the Western Regional Minister of Local Government declared vacant Mr. Adelabu's seat on the Ibadan District Council. Mr. Adelabu recovered his seat at the resulting by-election with an overwhelming majority but he had received a subpoena, issued by the Bench, to attend a Native Court in a civil suit on the day of the election, though neither the plaintiff nor the defendant had asked him to give evidence. This was looked upon as an Action Group manoeuvre to remove him from the vicinity of the poll. The exchanges which occurred in the Native Court resulted in his prosecution for contempt of court for which he has been sentenced in a Magistrate's Court to two months' imprisonment with hard labour without the option. An appeal has been lodged. The Judge of the Native Court towards whom Mr. Adelabu is held to have so acted as to merit a sentence of two months' imprisonment is the father of the Town Clerk of Lagos. This Town Clerk had been commissioned by the Regional Government to conduct an Inquiry into the working of the Ibadan District Council of which Mr. Adelabu is Chairman, but the Council of Ministers had (as it was legally empowered to do) withheld its consent. The Inquiry is now being undertaken by Mr. E.W.D. Nicholson, Town Clerk of Abingdon. Mr. Adelabu is also involved in a number of other court actions at Ibadan both criminal and civil, all of which have a political flavour.

A further potentially dangerous source of trouble is the Action Group-controlled Lagos Town Council. The N.C.N.C. Ministers are being submitted to considerable party pressure to secure the dissolution of the Town Council and the repeal of the Lagos Local Government Law, enacted by the Action Group Government when Lagos was administered as part of the Western Region. There are anomalies in the Lagos Local Government Law and that legislation will have to be examined, though it may give rise to further disputes over the position of Lagos. For one thing the Government of the Western Region in framing the Law wished to keep a tight control over the affairs of the Lagos Town Council. The powers of the Executive Council of the Western Region have devolved on the Council of Ministers, with the result that the Council has to consider numerous petty matters primarily concerned with staff, and every time these subjects arise there is a demand for an examination and amendment of the Law. The active association of Federal Ministers in N.C.N.C. attacks on the Western Regional Government is most embarrassing, and I am anxious to try and persuade them to abandon these tactics as soon as I have got to know them a little better.

5. My brief tour of the Northern Region left me in little doubt that the Northerners are bitterly opposed to the Ibo in general and to the N.C.N.C. in particular. Every Northern Minister with whom I discussed the North versus South issue has emphasised his fear of Ibo infiltration. They have much less fear of the West and seem to think that they can easily come to terms with the Action Group and the Yoruba. Possibly this feeling is based partly upon the fact that many Yoruba are Moslems. But the North has its internal problems and by no means the least of these is the adjustment of relations between the traditional rulers and the rising body of politicians. The recent conference of the Northern Chiefs at Kaduna and of the N.P.C. at Maiduguri have done something towards smoothing out the differences between the Emirs and the politicians but it is probably safe to assume that the differences

have only been temporarily submerged: I do not think anyone would claim that they have been resolved. There seems little doubt that the rift between the two is bound to grow as the politicians try to snatch for themselves the power now exercised by the Chiefs. Ultimately, as democratic ideas inevitably spread, the politicians will win. For the present the Chiefs have a conservative and stabilising influence but there is danger if the impression is allowed to grow that the Provincial Administrations are too much associated with the Chiefs because they will thereby lose influence when the politicians take over a greater control of affairs.

6. In the so-called Middle Belt of the Northern Region, there are some stirrings of dissatisfaction with the Northern Regional Government and the people complain, with little reason, that they do not get their fair share of attention and help from the Regional Government. And beneath this is a feeling of resentment at the superior attitude adopted by the Moslems of the true North who have scarcely troubled to conceal their contempt for those they regard as unbelievers and a conquered people. These feelings do not imply any leanings at present towards the East or the West, but rather a somewhat vague desire to dispel the feeling of inferiority and dependence. Although the Middle Belt People's Party has recently joined forces with the Middle Zone League to form the United Middle Belt Congress, and a number of prominent persons in the Region have associated themselves with the new Party, the distances are so great and the people so diverse racially that it is difficult to envisage the emergence of any cohesive party for some time to come.

7. Leading on from these impressions, I should like to give my estimate of present views regarding the constitutional conference promised for 1956. The first point that has struck me is that none of the leaders of the three major political parties really wants the conference to take place. They are not ready for it and I believe that they are a little frightened of the responsibilities of full self-government. Mr. Awolowo told me in front of his fellow Ministers that, even though the conference was to be convened, they did not think that it need necessarily sit in August, 1956. I am told that in the North there is a group within the N.P.C. which is in favour of self-government for the North in 1956 and that, had it not been for the influence of the Chiefs' conference, a resolution in such terms might well have been passed by the N.P.C. conference at Maiduguri. The movement in favour of self-government for the Northern Region is probably directly opposed to the wishes of the vast majority of the people of the Northern Region. It is centred on 'Town Mallams' and Northerners who have lived in other Regions, but it should not on that account be under-estimated; it is from such sources that all nationalist movements in Nigeria spring. Nevertheless, in the North, conservative forces are still very much in the ascendant, and, so far as one can see at present, the North will be content to continue as they are now and will not want any material change in 1956. Dr. Azikiwe and the N.C.N.C. naturally profess to want the conference and full self-government, but the N.C.N.C. Federal Ministers have told me that in their view the present Federal structure has not yet been properly tested and they would like to give it a longer trial. However, unless some very sound reason for postponing the conference occurs, I do not think that Her Majesty's Government would be wise to attempt to delay it; to do so would incite the extremists and would put the moderates in a very difficult position.

8. The proposal to create more States is gaining some ground. The 'States' concept was first mooted in the N.C.N.C. 'Freedom Charter' of 1948 and has a strong

appeal to tribal instincts in Nigeria, but it is doubtful whether any of those who advocate the creation of more 'States' have thought the matter out sufficiently to have any very clear idea of what exactly they are advocating. Some appear to envisage the creation of a greater number of Regions with powers as they exist at present; others, the creation of a federation of States within the existing Regions; and others again seem to contemplate the division of the country into a number of 'States' with reduced powers and a corresponding increase of powers at the centre. The Action Group, with the help of the U.N.I.P., is supporting the campaign for a Calabar—Rivers—Ogoja State in the hope that it will weaken the N.C.N.C. in the Eastern Region. In the Western Region also, it hopes to be able to seal off the N.C.N.C. stronghold in the mid-West by the creation of a Benin-Delta State and thus to assure itself of continued control of the Yoruba Provinces.

9. The N.C.N.C. has expressed support for a Benin—Delta State and, less enthusiastically, for a Calabar—Rivers—Ogoja State. Dr. Azikiwe, stating what he called a personal view, has recently proposed that the country be divided into thirteen States which suggests that he himself has not materially modified the conception he first put forth in the 'Freedom Charter' of a Nigeria divided into a number of comparatively weak States with a strong central government. It is possible that the N.C.N.C. and Dr. Azikiwe, would modify their views, and especially their support for a Calabar—Rivers—Ogoja State, if there was a real possibility of oil being produced in the Eastern Region outside Ibo country.

10. Both the Southern parties see in fragmentation the only means of reducing the preponderance of the North. Conversely, the N.P.C. is strongly opposed to any suggestion of fragmentation of their Region. The Northern solution lies in decentralisation and the delegation of certain powers to Provincial Councils, though it is interesting to observe that the logical outcome of such a move would be to bolster up the power and influence of the Chiefs at the expense of the politicians. The N.C.N.C.'s policy of more States is based solely upon Dr. Azikiwe's desire to break up the overwhelming strength of the North, and to enable him and his party to dominate Nigeria, which he knows he can never do while the North remains one. In some ways, of course, this is not an unreasonable view since any federation must be to some degree unbalanced if one of its member States is much larger than all the rest put together.

11. Views also vary on the question of the powers to reside in future in the Federal Government. The Action Group want no change in Federal powers. They believe in Regional autonomy—Yoruba self-government for Yoruba-land—and Mr. Awolowo made this quite clear in his address of welcome to me at Ibadan when he said 'in a country of this size and diversity, State or regional autonomy such as we have now is a *sine qua non* for permanent association.' He went on to say that, subject to some slight modifications for which they would press at the 1956 Conference, the Action Group was 'quite satisfied' with the present structure of the Constitution, and that 'any attempt to disturb the present structure in any *fundamental* manner, or to reverse the present relationship between the Federation and the Regions, will only lead to adverse consequences, the scope and extent of which I will not dare to predict.'

12. The N.C.N.C., on the other hand, with its Nigeria-wide outlook, wants the Centre to be stronger than it is now, but I am not yet clear what actual steps they would advocate to ensure this. In his speech at the Ibadan Convention of the

N.C.N.C. in May, Dr. Azikiwe gave the official party programme and referred to two Federal Houses of Legislature, the membership of one based on population and of the other on equality of representation, and also to a Federal Government 'consisting of co-ordinate members of approximately equal size and population.' In his recent address of welcome to me at Enugu, he said 'the Constitutional Conference of 1956 will be faced with a grave responsibility of framing a new Constitution which will be *fundamentally* different from the present one in many respects. Not only will it be a truly Federal Constitution, but the division of powers between the Federal and regional Governments will be such as to secure constitutional unity and common nationality in the country that cannot be readily put asunder by irresponsible elements.'

13. The Sardauna, in his address at Kaduna, said that he was not in a position to make any profound statement on the 1956 Conference. He confined himself to the remark that, whatever the N.P.C. might decide to advocate at the 1956 Conference, its one main object would be 'to preserve economic and social *stability* in the Northern Region.' But one Northern Minister in conversation with me mentioned the present East African High Commission as an example of the sort of central unit he would like, and Mallam Abubakar Tafawa Balewa, who not long ago seemed quite definite in his view that the N.P.C. would accept the present position of the Federal Government, has lately shown signs that his thoughts are again turning in the direction of the 'Central Agency' he once favoured. Northern opinion may well turn in this direction if the Southern parties press too hard for a break-up of the North or for any enlargement of powers of the Federal Government.

14. In the Southern Cameroons, Dr. Endeley made it quite clear to me that he and his party hoped for full Regional status for the Southern Cameroons next year, though he was a little vague as to how such a Region could stand on its own financially, and revenue prospects seem worse, and not better, than when the present quasi-Federal status was approved.

15. Financial considerations will play a large part in the conference next year. The Action Group and the N.P.C. seem to be well satisfied with the present system of revenue allocation, as well they might be, but the N.C.N.C. will press strongly for a change, the reliance on 'derivation' being intensely disliked by them. They will demand the allocation of revenue on the basis of need (based on population) and of even progress, though any such arguments will make little impression on the North, who might well contend, and with reason, that on the basis of need and progress they have a very much stronger case than the East.

16. Nothing has so far been said to me about Lagos and its present position as Federal territory, and I hesitated about raising this matter with Mr. Awolowo before I knew him better. I am informed by some that the Action Group has accepted the present position and will not reopen the question, but others say that the issue will certainly be raised again at the conference. And without doubt it will again become a major bone of contention if Dr. Azikiwe pursues his latest suggestion that Lagos should have some four hundred square miles of the hinterland added to it and be erected into a separate 'State.' This would be strongly opposed by the Action Group and pursuance of such an idea would do more harm than good, although many practical difficulties have arisen from the restriction of Federal territory to the existing municipal boundary. The rapid urban development of Lagos in the direction

of Ikeja would, in other circumstances, give rise to an extension of the urban boundary in that direction.

17. Finally, I should like to turn to a matter which is constantly being forced upon one at the present time; I refer to the position of the expatriate staff. I believe from my discussions with all three Premiers that they sincerely want to keep their expatriate staff and fully realise that the administration would suffer severely without them. In the course of my tour I met a large number of expatriate officials. Of course they do not know me yet and were therefore shy of expressing opinions, but I have no doubt at all that the great majority of them are very anxious about the future. In the West and the North they admitted that, apart from occasional difficulties, conditions were not too bad. In the East, however, and especially in one or two areas, morale was low and it has certainly not been improved by the rejection of some of the major recommendations of the Gorsuch Report on the structure and remuneration of the public services which benefit expatriates. I believe that there may be a very serious exodus from the Eastern Region next year unless immediate steps are taken by Her Majesty's Government to implement recent proposals for expanding the basis of Her Majesty's Oversea Civil Service. Such an exodus will grievously affect the machinery of government in the Eastern Region, and will have a damaging effect on the other Regions, on recruitment and on the whole future of the country. Apart from those in the Eastern Region most officers will be content to wait and see for a little longer, but many have already begun to enquire about new careers and to look around in the United Kingdom for suitable houses to which to retire if necessary. It seems to me that active anti-expatriate propaganda is much less noticeable in Nigeria than it was in the Sudan in 1951, 1952 and 1953. There is less newspaper comment and it is generally recognised that an expatriate element in the service will be required for a long time.

18. A premature exodus would be disastrous both for Nigeria and for the British connexion in Africa. The situation is quite different from that in India in the latter stages of its development towards self-government in that there is not the same reservoir of educated people upon whom the national Government can rely to fill the gaps. I have been struck by the small number of Nigerians who have reached senior rank in the Administrative Service, in the Police Force and in the Nigeria Regiment. I may still be ignorant of much that is being done, but I cannot help wondering whether the training of Nigerians for these Services is being pushed ahead vigorously enough. This is a question which I intend to pursue because I believe that the politicians would accept the existing expatriate element more willingly if they knew that the training of indigenous officials was being pushed ahead with more zeal. By and large, while most expatriates are anxious about the future, I am inclined to think that much of their fear is based not so much on the expectation that they will be got rid of as redundant but because the actual conditions of work are becoming more and more unpleasant. Ill-disguised corruption at which they have to connive or become unpopular; Ministerial interference and lack of sympathy with them in their difficult position; and the disregard of their considered advice by the Ministers, are all factors in their discontent. Occasionally too, of course, a failure by the officials to realise that times have changed leads to trouble. Nevertheless, most Permanent Secretaries and Heads of Departments whom I have met appear to be working in great harmony with their Ministers and many are enthusiastic about the unexceptionable way in which the Ministers are dealing with them.

19. There are in Nigeria a great number of people, most of them far from vocal, who are distressed at the speed of recent constitutional development, and who, loyal to the British régime, would like to put back the clock; these are the more elderly people, retired officials and chiefs. Past experience in India, the Sudan and elsewhere, shows that this class can never stand up to the politician who uses an emotional argument to arouse national feelings. Once nationalism has been aroused, no appeal to reason, efficient government, economic prosperity or the like has any chance. So far Nigeria has not yet acquired a real nationalism and so there is still a chance for a certain amount of moderate feeling to express itself as, for example, the address of welcome to me at Calabar which deplored the loosening of the British connexion, and which is further evidenced by the existence of such parties as the Nigerian Liberal Commoners Party and the Dynamic Party which are openly opposed to self-government in 1956. Any emotionalism is Ibo, Yoruba or Northern (Hausa), and not, as yet, Nigerian.

20. I have no doubt that much of what I have written is already well known to you and much of it has appeared in previous despatches. I have been bold enough to think, however, that you would wish to have something from me at an early date and it has been most useful to me to put these thoughts on paper.

21. Copies of this despatch are being sent to the Governors of the three Regions.

316 CO 554/1220, no 2

23 Sept 1955

[Constitutional change]: notes by Sir J Robertson on a meeting with Chief Awolowo to discuss proposals for the 1956 constitutional conference. *Minute* by T B Williamson

Mr. Awolowo, Premier of the Western Region, came to see me on the 20th of September, and we had about an hour's conversation before lunch. Mr. Awolowo was very cheerful and friendly and we were able to speak very candidly about most things.

2. I said I had invited him to come and have a talk, because as Mr. Shankland had told him, the Secretary of State had asked me to go to London and tell him what I thought about Nigeria and its problems, and I wanted to get his views on various matters as it was some time since I had seen him. He said he was delighted and very grateful for the opportunity of letting me know how he was thinking. I said at this point that I had asked the Secretary of State to invite Sir John Rankine to delay his return for a few days, as I thought it would be valuable to have him in London at the Talks, and the Premier said that this was an excellent idea. He said that with big problems ahead next year much careful consideration was essential, and perhaps when I returned I would arrange a meeting here in Lagos where the three Premiers and others might get together under my Chairmanship and thrash out some of the points requiring decision before the Conference.

3. I said there were certainly many points requiring consideration, and I would like to remind him of his address to me at Ibadan in June when he said that in his view the present Constitution in its fundamentals should not be altered next year. What had he in mind when he said that? The Premier said he thought the present Constitution gave the right sort of balance between the Federal and the Regional. He thought that a country like Nigeria with its large area, and big population of so many diverse elements, could not be governed in a unitary constitution; he didn't want to see the pre-

sent balance altered. He understood that 'Zik' and the N.C.N.C. wanted the Centre to be more powerful than it was now, but he thought this would be a great mistake.

4. He thought that some changes of a less fundamental nature could well be made: it was illogical to have states of so very different size and power comprising a Federation, and so, in theory, he would like to see more Regional governments, but of course he would not press this to the length of making the North wish to leave the Federation. If the North wouldn't agree to be split up, there was nothing for it but to wait and hope that in course of time, it would.

5. I asked what sort of Constitution a state like his proposed Benin-Delta state would have. He said that they hadn't really thought this out, and could tell me in confidence that his Party's action had been taken on purely political grounds: this area was a political liability to the Action Group and so they were quite ready to see it a separate Region. He agreed that it would be very difficult for such a state to find the money to support a Governor, Government, Parliamentary institutions and its own Civil Service. Inquiry would have to be made into the financial side, and should this not be done before the Conference?

6. Another change he would advocate at the 1956 Conference was that there should be a second House for the Federation, composed of an equal number of members from each State comprising the Federation. This would go some way to diminish the overwhelming strength of the North in the House of Representatives. He also thought the present method of forming the Council of Ministers unfortunate, and said that it must be reconsidered. The present Council, where the N.C.N.C. had six members out of the ten elected members, though they had far less than half the House of Representatives, was most unrealistic. He thought that someone should have been asked (M. Abubakar Tafawa he thought) to form a Ministry and meet the House.

7. Another thing required regarding the Federation was some sort of code of behaviour for Federal and Regional Ministers. It was all wrong that whatever their politics they should quarrel and wrangle and interfere in each other's business. Perhaps I could do something about this now, but he certainly thought it was essential that Ministers should act more responsibly.

Regional self-government

8. The Premier made it quite clear that he wanted Regional self-government for the West in 1956. He also said that the East would require it too. I asked what about the new States? They had had no training or experience. The Premier had no answer to this. I asked what difference self-government would make to the present set-up, and presumed he meant merely that in Regional matters as laid down by the Constitution, the Governor's reserve powers would disappear. He said 'Yes', though perhaps in one or two matters they should still remain. As, for instance, if the Police were regionalised, the Governor should have final control of them: they should not be put in the power of a political Minister, who would certainly be accused of misusing them even if he did not. I said that Governors now, as delegates of the Governor-General, could issue instructions to the Regional Commissioner of Police. He agreed, but said it would be better if the Police were regionalised, though the Inspector-General could remain for the Federal areas, and for the training and quartermaster side of the whole police organisation. Another power which might be left to the Governor, might be as a final court of appeal in case of the Obas and

Natural Rulers. They are awkwardly placed in their positions when the Party in power needed their support, and the Party in opposition accused them of being on the Government's side. They had to balance on a knife edge: and they would appreciate having a final appeal to the Governor in his discretion.

9. He said he did not expect the Federal Government to be self-governing next year; he did not think the North would agree, though there were stirrings in the North now about Regional self-government.

10. I asked him if he thought a Region which had, for instance, shown financial irresponsibility at the present stage should be given self-government next year: and wouldn't it be wrong to let such people ruin a whole Region? He said that people must learn by mistakes and when they had got everything into a dreadful mess, the British could tidy it up again! I gathered that any idea of denying a Region self-government next year, because of the follies of its present Government, seemed revolutionary to him, and that he takes it for granted that East and West would be given self-government whatever happened.

Venue and composition of the conference

11. I asked if he was still of the same mind as in June about not having the Conference in Lagos. He said 'Yes: most definitely', and went on to say that he and his Party would not come to a Conference in Lagos unless the Federal Government passed a law making it an offence for anything about the Conference to be published, except official 'handouts'. This he had already said to Mr. Shankland.

12. I asked how he thought we could get 'all shades of political opinion' represented. This was to be for the Regional Governments. Would his Government put in people to speak for the Benin-Delta area? He said he wasn't quite sure about this yet, and that his Party was shortly to have a Conference to consider many of these matters. Would this not be a matter to discuss if I took his suggestion and called in the three Premiers to go over such points with them and try to get agreement on them?

The Civil Service

13. The Premier agreed with me that the Regionalisation of the Civil Service had created many problems, and that at present the position was difficult: so too with the Judiciary. He agreed with me also that this was a transitional period and that once the Civil Servants themselves had got accustomed to regionalisation, much of their concern would disappear.

14. He was worried about recruitment of expatriates. He wished his Government could have given the full Gorsuch children's allowances, but to have done so would have meant giving Nigerians allowances too, and that would have been wrong. He then said he had heard that the Federation had given more passage allowances to expatriates. I explained this and he said he would probably want to do something on the same lines' himself, and would discuss it with his people.

15. The Premier was most friendly and approachable all through this conversation and I felt he was really speaking his mind. Again he did not mention the question of Lagos, and I myself did not either. It does not seem to be one of the things which are uppermost in his mind for alteration next year.¹

¹ Williamson noted in the margin at this point, 'If so it shows once again how firmness pays with the Yorubas'.

Minute on 316

Mr. Eastwood

You will wish to see, and may like to show the Secretary of State, the attached note from Sir James Robertson of his talk with Mr. Awolowo on the 20th September. The following are my brief comments on the various matters raised.

(a) Awolowo's views on the balance of powers in the present constitution are encouraging. (We shall be preparing a paper on this—or rather asking Nigeria to do one—in the next two or three months).

(b) 'Fragmentation'. Encouraging also. N.B. Here again is an example, authenticated on the word of a Premier himself, of a Nigerian political party's line being dictated purely by political considerations, not by the merits of the case or the interests of the people. We shall do well to bear this tendency in mind whenever we consider proposals from Nigerian politicians.

(c) Paragraph 6: structure of the Federal Government and proposal for a second Federal House. We shall be discussing this under Item 4 of the agenda for the talks at official level. As I have already indicated, I think we shall have to reject the proposal for a second Chamber at the Centre. We know the proposal is really aimed against the preponderance of the North, and not put forward on its own merits. Secondly, it would be a difficult piece of machinery for the slender staff resources to work. They can hardly cope with a single Chamber—and even for that they have to go outside Nigeria for a Speaker.

(d) It is clear that the West do not want 'unlimited' regional self-government in 1956—which may make it a little easier for us when the time comes to sell our ideas of what regional self-government in the 'paragraph 28' sense amounts to.

(e) I think the Governor-General showed courage in casting a fly over Awolowo about the possibility of denying regional self-government to the East. Awolowo's reaction is rather what one might have expected, especially his remark that 'the British could tidy it up again'. But the possibility of the British doing that depends, of course, on there being enough British staff left for the purpose—which there wouldn't be on Sir Clement Pleass' latest assessment.

(f) Venue of the conference. There is nothing new in this, and a brief on the subject has gone forward. The idea that the Federal Government should pass a law making it an offence for anything about the conference to be published is, of course, nonsense and there could be no such 'law' if the conference were held in London either.

T.B.W.
26.9.55

317 Co 554/1181, no 58

[Sept 1955]

[African Continental Bank]: CO note on the African Continental Bank Ltd

This Bank was incorporated on the 17th November, 1947, with paid up capital of £23,883 (£50,000 authorised). Dr. Azikiwe is its founder.

2. There had only been one indigenous bank before the war (the National Bank of

Nigeria Ltd., established in 1933, now the 'Action Group' Bank). The flood of new banks after the war reached its climax when 10 new banks were incorporated between January and May, 1952. The Nigerian Banking Ordinance, 1952, was then introduced to control this mushroom growth. It provided *inter alia* that after a 3 year period of grace no company would be allowed to carry on banking without a licence granted by the Financial Secretary. The 3 year period ended on 22nd May, 1955, and the majority of new banks had by that time expired.

3. The African Continental Bank survived the 3 year period but was constantly on the point of collapse. A report dated October, 1953, stated that deposits had declined substantially, the ratio of reserves to liabilities was only 9.8%, a loss of £26,000 had been made to that date and two of its employees had embezzled £2,000 and £3,000 respectively. The Financial Secretary told the General Manager that he was still unable to license the Bank but would reconsider the matter if

- (i) the ratio of cash to liabilities were increased to 30% within 6 months;
- (ii) adequate information was provided about investments;
- (iii) a copy of the latest audited balance sheet was provided; and
- (iv) the reconciliation of the inter-Branch accounts were satisfactorily completed.

4. Dr. Azikiwe, the Bank's founder became Premier of the Eastern Region on 1st October, 1954, Mr. (now Sir Arthur) Benson in an assessment of his character in September, 1953, had written:—

'Zik wants money. Zik is a lazy man. Zik is not in any way at all an ascetic nor in any way at all a man who believes that what he could do for Nigerians would be in Nigeria's own interests. Zik is motivated by one interest only: his own interest. And his own interest is money and the pleasure and the power that money can bring. . . . Zik's one aim and object at present is to gain control of the Eastern Region Production Development Board funds.'

Amongst the first legislation of the new Eastern Region Government were laws to set up a Development Corporation (which would take over the assets of the old Eastern Region Production Development Board and be empowered to receive further funds from the Marketing Board) and a Finance Corporation (which would be empowered *inter alia* to receive funds from the Development Corporation). Sir Arthur Benson's assessment and our fears that these new corporations would provide a devious and respectable-looking channel for funds from the Marketing Board to the African Continental Bank are confirmed by the following extract from Dr. Azikiwe's (and Mr. Ojukwu's) recent publication the 'Economic Rehabilitation of Eastern Nigeria':—

'99. We recommend that the Eastern Region Finance Corporation should make a substantial investment in an indigenous bank to enable the Corporation always to control not less than three-fourths of the equity capital of that bank. That done, the Finance Corporation should use the bank for purposes of economic development of this Region. We also recommend the increased use of such bank by the Government of the Eastern Region, the statutory corporations, Local Government bodies and other Government agencies. Provided that the requirements of the Banking Ordinance had been met, such a bank should not only be used as depository for official and semi-

official funds, but it should be the nucleus for a central bank envisaged by the International Bank Mission. The Strengthening of indigenous banks will facilitate the mobilisation of domestic capital.'

5. About May of this year gilt edged securities of £2m face value were apparently transferred from Marketing Board funds to the Finance Corporation. Of this sum £1,000,000 nominal was realized and produced £916,873. With this money the Corporation purchased 784,000 Ordinary Shares in the Bank and 93,000 Preference Shares at a total cost of £877,000. The Corporation also placed to the credit of their current accounts with the Bank in London and Nigeria a further £122,000, thus making up £1,000,000 altogether. This sudden acquisition of funds by the Bank improved its cash ratio to well over 100%. It has also given recent signs of wanting to improve its standard of management. A reputable African firm of chartered accountants have taken over its audit. A British chartered accountant has advised on re-organisation. The British Institute of Bankers may help with staff recruitment and training. In view of all this the Financial Secretary has decided to issue a licence for the Bank under the Banking Ordinance.

6. Although the Bank is thus well set on the road to respectability the following points should not be overlooked:—

(i) The shameless way in which the Bank has been supported by public funds. The Colonial Office has taken the view that although the Marketing Board funds were originally intended to be used for price stabilisation, research and development which would benefit the producers, the institution of responsible elected Governments removes any real justification for our intervention if the Governments should decide to use the funds for any other general public purpose. We did not therefore query the deposit of Western Region Production Development Board funds in the National Bank nor did we object to new Marketing Board legislation which gave wider scope to the Regional Governments in the use of Marketing Board funds. For similar reasons Sir Clement Pless stated that he would not have opposed the investment of funds in the Bank by the Finance Corporation although, if he had had the opportunity (the matter was not brought properly before Executive Council), he would have urged a smaller investment. It is highly reprehensible that the new Finance Corporation should put nearly 40% of its assets, drawn from public funds, into shares of a Bank of dubious integrity at a time when it was not even licensed. The International Bank Mission advised that Government and statutory bodies should not even deposit their reserves with commercial banks, however sound they may be.

(ii) In the agreement covering their investment in the Bank the Finance Corporation stipulate that the Chairman of the Bank shall be the Founder (Dr. Azikiwe) and/or the Governing Director or the nominee of the Founder. This will preserve the financial power of Dr. Azikiwe irrespective of any change of government. Surely this arrangement by a Premier cannot be supported by any respectable precedent?

(iii) Also in the agreement the Corporation undertakes to use the Bank as its main depository and to 'persuade' the Corporation's beneficiaries and customers to do likewise. This condition for obtaining assistance from public funds is patently designed to bolster up the Premier's bank. Such partisan action is a clearly

dishonourable departure from the ethical conduct we are entitled to demand from people in Dr. Azikiwe's position.

(iv) Points (ii) and (iii) above suggest that Dr. Azikiwe has infringed the code of ethics for the conduct of Ministers which was commended to the Governor of Nigeria in 1951.

This states *inter alia*:—

'4 (c) Ministers ought not to enter into any transactions whereby their private pecuniary interest might, even conceivably, come into conflict with their public duty. . . .

4 (e) No Minister ought to put himself, or allow himself to be put in a position to use his official influence in support of any scheme or in furtherance of any contract in regard to which he has an undisclosed private interest.'

The code was accepted by the new Federal Ministers when assuming office. We have no evidence that the attention of Regional Ministers has also been drawn to it, but we hope—and have little doubt—that this was done. Sir Clement Pleass will no doubt be able to confirm this.

(v) It is probable, though the means are not clear, that the Bank's funds will now be used for political purposes. The Eastern Regional Regpin No. 26 of 11th June, 1955, for example, in commenting on the transfer of funds from the Finance Corporation to the Bank stated:—

' . . . Rumour is already afoot that the means are now available to ensure the success of the party in the elections in 1956, but since there appears little chance of any real opposition in the Region itself, it is probable that the Western Region will be the first to benefit from the Corporation's activities. . . .'

318 CO 554/1181, no 60A

27 Sept 1955

[Eastern Region crisis]: letter from Sir J Robertson to Sir T Lloyd on the likely consequences of a suspension of the promise of self-government to the Eastern Region. *Enclosure*: letter from Major-General G H Inglis¹ to Sir J Robertson, 26 Sept 1955

In your letter of July 26,² about the deteriorating state of affairs in the Eastern Region, you said that you hoped that I would be able to bring with me to London (or send in advance) an assessment of the effect on the security situation and public order in Nigeria generally of a suspension of the promise of self-government to the East in 1956, with particular reference to any possible need for outside military assistance. In my reply of August 7,³ I said that your question would have to be answered against the background that we should still be saddled, after the suspension or withdrawal had been announced, with the same Ministers as now we

¹ GOC, Nigeria District.

² See 309.

³ See 313.

have in the East and that we might expect that there would be widespread civil unrest which would be encouraged rather than suppressed by some at least of the Ministers. I spoke of the probability of the withdrawal of the N.C.N.C. Ministers from the Council of Ministers, of the possibility of disturbances in the Western Region and in Lagos even if there were none in the Northern Region—and all this at a time when the efficiency of the whole governmental machine throughout the country is already lowered by the lack of competent men, whether expatriate or Nigerian, to fill the growing list of vacancies in the Public Service. I disclaimed any ability to assess so precisely the scale of possible unrest as to estimate the amount of outside military assistance that might be needed; and I suggested that the problem should not, at that time, be viewed from that angle as I and my advisers thought that the course proposed should not be followed as it would fail in its purpose and there were, in any event, other considerations to urge against it. I am still of that mind: I am, indeed, strengthened in my conviction that the suspension or withdrawal of the offer of Regional self-government is not the course which should be followed. But, in compliance with your wish expressed in your letter of August 15 that I should let you have my further views after consideration with my advisers, I am writing now to set out the best appraisal that I can give of the situation with which we might be faced if such a course were followed and of the action we should take to meet it.

2. My view of the probable consequences of an announcement of the suspension or withdrawal of the offer of Regional self-government was given to the G.O.C., in the letter in which I sought his considered advice, as follows:—

‘It is not easy to estimate what the immediate effects of such action (if taken) would be. No doubt there would be considerable political excitement and the N.C.N.C. would try to work up non-co-operation with the Government and to hinder the execution of the ordinary processes of administration. How far they would succeed in rallying support is hard to guess—quite a sizeable proportion of the population would perhaps heave sighs of relief, but I expect we should have a certain amount of rioting and disorder. I find it hard to assess whether this would necessitate more than ordinary police action.

It seems to me that any serious results would be long term rather than immediate for the following reasons:—

(i) At present relations between British and Nigerians are good, and it would take a little while for them to become seriously affected, though I have no doubt they would deteriorate fairly rapidly under the pressure of political speeches and newspaper articles. The Federal Council of Ministers would probably break up almost at once, and this would hasten unsettlement and disturbance.

(ii) Action Group and N.C.N.C. are at loggerheads and to begin with, the Action Group in the West would not be too sorry to see the N.C.N.C. get a rebuff. But if the N.C.N.C. became intensely anti-British and gained sympathy from the extremists and nationalists as martyrs for their stand against ‘imperialism’, as would probably happen, the leaders of the A.G. would probably feel compelled to come in on the anti-British side and might well try and out-do the N.C.N.C.

(iii) I cannot see responsible Northern leaders siding easily with the N.C.N.C. or A.G. in extreme anti-British action and I imagine that they would not enter the fray on either side; but any general deterioration of law and order in the

South would have some effect on the North in time, and I should expect eventual reactions there:—growing unrest and perhaps occasional rioting in towns—unless troubles in the South were speedily brought under control.’

3. I suggested to the G.O.C. that if my estimate were at all correct, we would presumably have some time in which to see how things were going before asking for reinforcements and there would be no immediate ‘blow-up’. My letter continued:—

‘But what extra military force, if any, would be needed at the various stages subsequently is difficult to assess. There is also the point that British troops are not ideal in countries such as this for work of the sort visualised. They need a good deal of looking after: their movements are difficult: housing and feeding complicated. I suppose that their main use would be to garrison a few centres, e.g. Lagos, Enugu, Ibadan, Port Harcourt, etc., thereby releasing the Nigeria Regiment for a more active role, and that much of their value would be to maintain morale. Clearly armoured vehicles, jet aircraft and the more recent types of modern war material would be unnecessary, and of little use: though may be, if things got really bad, signallers and a few communications aircraft would be very valuable.’

4. I send with this a copy of a letter which I have had from the G.O.C. and which I have discussed with him. My Inspector-General of Police is, I am very sorry to say, seriously ill and neither the Chief Secretary nor I have had a chance to discuss personally with him the answer which he gave to a request from the Chief Secretary for advice on the ability of the Police to contain the situation without further military aid. McLaughlan’s⁴ answer was based on the assumption that one company of troops would be moved to Port Harcourt, Aba, Owerri and Onitsha, with possibly another to Calabar, with two companies in Enugu and that similar dispositions would be made in the Western Region. He seems to have visualized that a general outbreak of violence would occur more rapidly than the Chief Secretary and I suppose would be the case and his conclusion was that even with the re-deployment of military forces on which his plans were based, the Police would be unable to contain the situation for more than seven days before further military help was needed. The G.O.C. does not propose such a dispersal of his forces but, as his letter shows, proposes to keep his forces concentrated until the pattern of events shows where additional force is needed and in what strength. This military conclusion as to the best course accords with my own civilian view of what would be wise. But this does not invalidate the Police conclusion that it would not be long before military help additional to that available in Nigeria would be needed.

5. My advice on the action required if it were decided to announce the suspension or withdrawal of the promise of Regional self-government would, therefore, be that so soon as the decision were taken in the United Kingdom the appropriate authorities there should be warned that military aid from the United Kingdom should be available in Nigeria within two weeks of the announcement being made in Nigeria. I do not advise that the announcement should be deferred until military aid from the United Kingdom had arrived in Nigeria. The theoretical course of events which we are required to consider is that after a solemn warning

⁴ R J P McLaughlan, inspector-general of police, Nigeria.

given by the Secretary of State to Azikiwe that failure to improve his Government's performance would entail the suspension or withdrawal of the offer of Regional self-government Azikiwe would return to Nigeria either to obey the warning or to abide the consequences. As we, unlike British Guiana—the only other territory of which I have even indirect knowledge of the effects of action comparable to that which has been suggested for the Eastern Region—have some troops within the country, the arrival in Nigeria of even an advance party of troops from the United Kingdom would be taken as an indication that the Secretary of State proposed to act as he had warned Azikiwe that he might. In these circumstances, the arrival of the troops would perhaps be the signal for widespread disorder rather than a demonstration of force which would prevent disorder. But clearly it would be advisable to reduce the period between the announcement and the arrival of the troops from the United Kingdom to something less than the thirty-day period mentioned by the G.O.C. It is for this reason that I suggest a 'stand-by' order to the U.K. troops which could either be followed by a request for the troops to move or be countermanded if the immediate reaction were less unfavourable than we have feared.

6. On the other hand, I would recommend that the redeployment of troops within Nigeria should take effect before the announcement of suspension or withdrawal were made. The G.O.C. concurs in this view.

7. I see no reason to dissent from the view of the G.O.C. that the problems of housing health, feeding and movement of U.K. troops, although difficult, could be solved by the use of local resources plus supplies from the United Kingdom.

8. The South Atlantic Squadron does not now contain the cruiser which is part of the approved establishment and the effective force at Simonstown is limited to two frigates. It would, however, be a great aid in showing sufficient force to prevent an outbreak of disorder if it were possible to have in Nigerian ports at the time of the announcement two ships of Her Majesty's Navy, of which one would preferably be a cruiser. I think that the presence of these vessels might well have an advantage quite disproportionate to the force which they could, in the unhappy event of disorders inland, make available in aid of the civil power.

9. My discussion with the G.O.C. has brought very vividly before me the size of the internal security operation to which we would be committing ourselves if there were to be a suspension or withdrawal of the promise of self-government followed by the consequences which I am advised, and have every reason to believe, would follow. It would be an operation more serious than any recently, undertaken. The gravest internal security operations of which I know in British territory overseas are those in Malaya and Kenya, both of which have turned into long-drawn-out campaigns by very large military forces. But the Malayan operation has been, in essence, a guerilla war waged over an area very much smaller than that which would probably be involved in Nigeria (even though the conditions in Malaya might be much worse from the military point of view) against a 'rebel' or 'bandit' force numbering only a few thousand. The operation in Kenya has probably involved a larger number of the local population but it has been limited to an area and a population both so much smaller than those that would be affected in Nigeria as to make comparison inappropriate. It must also be remembered that in both Malaya and Kenya the purely military operations have had to be accompanied by civil activity on a scale that would be impossible in Nigeria. The Administration here (both in the narrow sense of the former 'Provincial Administration' and in the wider sense of all the essential civil

services of Government) has always been thin on the ground; it is very much thinner now. Indeed, it is because of the inability of the Administration to preserve any reasonable standard of governmental effectiveness in the Eastern Region that the suspension or withdrawal of the promise of Regional self-government would be made—if it were made. I have been here long enough to see that throughout Nigeria the civil Administration is working under a great strain; there are places, notably in the Eastern Region itself, where it is perilously close to complete collapse. We are keeping the Federal machine going only at the cost of continuous over-work of key officers for which we shall certainly have to pay the price sooner or later. The civil Administration at Federal headquarters could not, with any hope of success, cope with the additional burden of supplying an adequate civilian counterpart to the military administration of internal security operations on the scale that would be necessary if our reasonable estimates of consequences proved correct.

10. And that is not all. Suppose that we were successful over the weeks and months that followed the suspension or withdrawal of the promise of Regional self-government, how would we rebuild a constitutional system of government in the Eastern Region and in the Federation? It may be that in the Federation, if the N.C.N.C. Ministers resigned, we might in course of time be able to replace them with Ministers from other parties—but this could only be if the Action Group were to refrain from unconstitutional action and I think that it is much more likely that the Action Group would either make common cause with the N.C.N.C. or would seek to out-do the N.C.N.C. while raising as a rallying-cry a hymn of hate against the perfidious British. In a recent conversation with Awolowo (a record of which has gone to Williamson)⁵ I asked whether he thought that proved inefficiency in a Regional Government should be followed by the suspension of the constitution or the withdrawal of the promise of self-government. He seemed genuinely astonished that I could have any such idea and answered without hesitation that the people should be left to learn from the mistakes of their own representatives and that the British should come in afterwards to clean up the mess—I forebore to point out that there would probably be no British there to clean up anything. But even if we rebuilt a Government in the Federation, I see little hope of any new party emerging from the chaos in the East with sufficient popular support and sufficient ability to form an alternative Government there. We should be committing ourselves to an endless internal security operation in an area and with a population larger than any in similar operations elsewhere and with no clear idea of what result we hoped to secure at the end of it. I trust that it will not happen.

11. I know I shall be asked what alternative I propose. I shall not add to this long letter more than to say that I see no easy way out; I see no alternative to dogged persistence in the course we are now trying to follow. I must give thought, in consultation with Pleass, to how best we can preserve the morale of the British staff and even there I expect no spectacular improvement. It is not a cheerful prospect but I am sure that it is better than the chaos which would follow on a suspension or withdrawal of a promise publicly made in 1953 to people who, even though their performance since has been worse than anyone feared, were not substantially different then from what they are today. The promise was made and I fear we shall have to stick to it.

⁵ See 316.

12. I am sending copies of this letter to Pleass, Shankland and Williams and copies also to Sharwood-Smith and Rankine at their leave addresses.

Enclosure to 318

Reference your TOP SECRET and PERSONAL letter of 17 September.

If a situation as envisaged in para 2 of your letter occurred, my advice to you would be that an immediate show of force might limit or prevent serious IS trouble.

To provide the troops for this show of force and to maintain law and order a Composite Brigade Group can be formed from the forces in Nigeria consisting of:—

Brigade HQ, including Defence/ Employment Platoon and Signals	From Lagos
Three Battalions Nigeria Regiment	One in Enugu, two from Kaduna
Field Battery } Field Squadron }	From Kaduna
Composite Company, W.A.A.S.C	From Lagos, Kaduna, Enugu
Depachments for Medical, WAEME and Provost	From Kaduna and Lagos.

Approximate strength 2900 Officers, NCOs and men, leaving adequate forces to maintain law and order in the rest of Nigeria. This force can be provided from the troops in Nigeria but both Signals and WAASC would be under considerable strain and reinforcements of Signals personnel (approx 15) and RASC (approx 35) would be required from UK after 30 days.

This force would be concentrated in the Eastern Region either before, or immediately after, the suspension of the Constitution. Its deployment to depend on the circumstances at the time. In addition, if serious IS trouble was expected, it would be advisable to ask for a Brigade from the U.K. Strategic Reserve Force to be ready to fly out to Nigeria. This Brigade would not be an effective force in Nigeria for thirty days after the request. The request might be so timed that the advance parties could arrive immediately after the suspension had been announced.

It is considered that the following force would be required:—

Brigade HQ and Signal Squadron
Three Battalions
Field Squadron
Independent Infantry Brigade Company, RASC (less vehicles)
Field Ambulance
Infantry Workshop, REME.

Aircraft should be available for the movement of supplies, etc.

This force would best be employed as a Brigade in the Eastern Region and not split up, though it would be advisable to exchange a British Battalion with a Nigeria Regiment Battalion so that one brigade consisted of two British and one Nigeria

Regiment Battalions and the other of two Nigeria Regiment and one British Battalion.

The problems of housing, health, feeding and movement, though difficult, could be solved by the use of local resources plus supplies from UK.

319 DO 35/6541, no 31 30 Sept 1955
[Future of RWAFF]: despatch no 2488 from Mr Lennox-Boyd to Sir J Robertson on the future role and administration of West African Land Forces

I have the honour to address you on the scale and organisation of, and the responsibility for, Colonial military forces.

2. As you will know, General Sir Gerald Templer recently made an investigation into Colonial security problems. In his report General Templer has drawn attention to the radical change in the strategic assumptions underlying the 1949/50 agreement to retain the major African Land Forces under War Office control. The imminent danger of a third world war has receded, and the advent of thermo-nuclear weapons has not only greatly altered assumptions about the nature of such a war should it occur, but also the part which conventional land forces might be expected to play in its earlier stages. The 1949/50 arrangements were based on the assumption that it was strategically desirable in the interest of the Commonwealth as well as in the local interest to maintain conventional land forces in East and West Africa on a scale and organisation and state of readiness suitable for early employment in the field in time of war, and to retain these forces under War Office control and administration. The change in the strategic situation has required re-assessment of this role.

3. At General Templer's request, the United Kingdom Chiefs of Staff undertook this re-assessment. Their conclusions, which have been accepted by Her Majesty's Government, are that the primary role of the Colonies in a future war should be to provide for their own internal security and local or regional defence. In addition it would be highly desirable for them to provide such defence installations as might be required in the interests of overall Commonwealth defence, as well as to provide a reserve of manpower and such industrial and material resources as could be developed within their territories.

4. In the changed circumstances outlined above, wartime requirements for military manpower from West Africa would be for a brigade headquarters, a brigade signal section, three infantry battalions and small transport, medical, ordnance and repair units, which would be accepted on the internal security organisation and scale of equipment decided upon in peacetime in the territories concerned. There might be a subsequent requirement, but no cognizance need be taken of it until after the outbreak of war. Any additional equipment required and the necessary administrative backing would be provided in the Middle East theatre as a War Office responsibility. Similarly any additional training required to fit these forces for their war role would be carried out in the Middle East theatre.

5. Her Majesty's Government have also approved in principle that 'the system of administration of Colonial forces by the War Office should be replaced by administration by Colonial Governments, who would thereafter become primarily

responsible for the financing of their own forces. This principle is not intended to be applied simultaneously over the whole field, but would be carried into effect in individual territories or regions at a pace dictated by local circumstances and after consultation with the Colonial Governments concerned¹.

6. The future role of the West African forces being that of internal security and local and regional defence, it would seem appropriate that they should be suitably re-organized and equipped. For example, General Templer has pointed out that, in the light of the experience gained in the past (including Kenya and the Federation of Malaya), the basic requirements necessary to carry out this revised role may be summarised as 'the maximum number of lightly equipped Rifle Company personnel, good communications and a sufficiency of transport to give the necessary mobility. No heavy support weapons are required, and so there is no need for the Support Company in a Battalion. There may be differences in the requirements of the different territories, which would be reflected in the equipment of units but in general terms they must all be capable of maintaining supplies and communications over wide areas of broken country where few roads or communications exist.'

7. General Templer has undertaken a preliminary investigation into the extent to which the West African Land Forces might be re-organized in the light of the foregoing and has come to the conclusion that it should be possible to effect considerable economies in manpower and cost. Extracts from the relevant sections of his Report giving his conclusions are given in the attached annex.¹ Although these conclusions give an order of the magnitude of the economies which could be effected they cannot of course be regarded as firm without local examination, and General Templer has himself recognised that the whole question of re-organization 'would have to be gone into in great detail between the Colonial Office, the War Office, and the territory concerned.'

8. The foregoing information is also being communicated by the War Office to the General Officer Commanding-in-Chief, West Africa, and you will no doubt wish to discuss the implications of the new role for the West African forces with him. If it is accepted that the new role of the West African forces would justify their re-organization, the General Officer Commanding-in-Chief, West Africa Command, would proceed with this re-organization in consultation with you.

9. It is clear from what I have said above, that the time is ripe not only for a review of the financial arrangements for the financing of the West African Land Forces, which were agreed at the Lagos Conference, but also to consider whether the existing War Office control over these forces should not be terminated. You will already be aware from my Confidential despatch No. 953, dated the 4th July, 1955,² of which you will have received copies, and from my Confidential despatch No. (1)220(2)730(3)372 dated the 22nd August, 1955, that the Gold Coast will be assuming full responsibility for its Land Forces as from the 1st July, 1956, and that Headquarters West Africa Command will also cease to function as from that date. These developments appear to reinforce the desirability of changing the present system of control and administration of the other West African forces for one more suited to their future role. One important consequence of a reversion of the forces to Colonial Governments would of course be that full budgetary control would pass to

¹ Not printed.

² See BDEEP series B, vol 1, R Rathbone, ed, *Ghana*, part II, 169.

the territorial Legislature instead of Legislatures being invited (as at present) to vote block sums as contributions to War Office expenditure.

10. I should accordingly be grateful to have your views on whether the re-organization of the Land Forces in your territory on an internal security scale should now be initiated; whether you agree to resume control of these forces, subject to the working out of satisfactory arrangements; and the financial adjustments to be made as a consequence of either or both of the foregoing.

11. This despatch is addressed to the Governor General of the Federation of Nigeria, and to the Governors of Sierra Leone and Gambia, with copies for the information of the Governor of the Gold Coast and the Chief Secretary, West African Inter-Territorial Secretariat.

320 CO 554/1156, no 20

4 Oct 1955

[Nigerian constitutional talks]: CO minutes of a meeting of officials with Sir J Robertson and Nigerian governors on issues relating to the proposed 1956 constitutional conference

[Robertson, Sharwood-Smith, Pleass and Rankine were called to the CO in Oct 1955 at the request of Lennox-Boyd. Starting on 3 Oct and lasting for a week, a series of meetings chaired by Lennox-Boyd or Eastwood were held to discuss the situation in Nigeria and more particularly, the relationship between this and the forthcoming constitutional talks which, at the 1953 London conference, it had been agreed would be held before Aug 1956. One of the first issues to be discussed at these meetings was the possible suspension of the promise of self-government for the Eastern Region in the light of the crisis in the region. At this meeting on the morning of 4 Oct, held in the absence of Lennox-Boyd, it was agreed to recommend that the promise of self-government should not be withdrawn; this recommendation was approved by the secretary of state at the meeting that afternoon (not printed), where it was also agreed that he 'should give Zik a talking to, chiefly about his financial policies and in particular the affair of the African Continental Bank' (CO 554/1156, no 21, minutes of the first meeting with the secretary of state). See 332.]

Political situation in the Eastern Region

1. *Sir C. Pleass* said that he could not advise the Secretary of State to suspend or withdraw from the Eastern Region the promise of Regional self-government. *The Governor-General* and *the other Governors* concurred with this view. *Sir C. Pleass* said that the Eastern Region Ministers were not wholly evil, there was great pressure upon them to observe standards much lower than those obtaining in the United Kingdom and in any case their country, which 50 years ago had been barbarous, generally accepted lower standards. The Region as a whole had had only a short time to develop morally as well as physically and further development could best be achieved by friendly admonition rather than by threat.

2. *Sir J. Robertson* said that if the promise of Regional self-government was suspended so far as the Eastern Region was concerned no doubt the Ministers there would resign and so probably also would the Federal N.C.N.C. Ministers. Government by consent would disappear and troubles would follow. *Sir B. Sharwood-Smith* said that the North would not resent suspension of the promise so far as the East was concerned but the possibility could not be ruled out that if to deal with trouble in the East troops were withdrawn from the North there might be anti-Ibo disturbances there. *Sir J. Rankine* said that although the initial reaction of the West to a withdrawal of the promise in the East might be favourable, on second thoughts the

Western Region might possibly make common cause with the East. *Sir C. Pleass* added that once the promise was withdrawn even if Ministers did not resign the Governor would no longer be able to preside in Executive Council.

3. *The conclusion was* to recommend to the Secretary of State that the promise towards the Eastern Region should not be suspended and that the Secretary of State should take up a number of points with Zik in a spirit of friendly criticism. *It was agreed* that the following points might be included in the Secretary of State's brief for this purpose:—

(a) *Financial matters*

The Eastern Region was still solvent but the proposals of Ministers which were in the course of being worked out seemed likely to exhaust the Region's reserves. In particular there had been established a costly proliferation of statutory corporations and there were two proposals for the development of Education which seemed well beyond the finances of the Region. These were the introduction of primary education (the estimated cost of this could be obtained from the O.A.G. Eastern Region) and the proposal to establish in the Eastern Region a University of Nigeria.¹ This proposal would be discussed with Zik by the I.U.C., but should be referred to by the Secretary of State because of its financial implications.

(b) *Treatment of the public service*

It would be necessary to draw Zik's attention to the difference between the undertakings he had given concerning the Public Service and the actual treatment of individual public servants by his Government. Many instances of this treatment were contained in the dossier which *Sir C. Pleass* had brought.

(c) *The creation of many statutory corporations*

A draft despatch dealing with the Economic Planning Commission Law and referring to other corporations whose functions overlapped those of the Economic Planning Commission had been prepared and approved in draft by *Sir C. Pleass*. *It was agreed* to recommend that the Secretary of State should send this despatch shortly before meeting Zik. He might then go over the points in the despatch with Zik and draw his attention to the inadvisability of transferring major functions of governments to public corporations and to the strain on the very limited resources not only in finance but in experienced manpower of the Eastern Region which the establishment of the corporations would create. He might also refer to the fact that no less than 48 members out of the 84 members of the Eastern House of Assembly now held Ministerial office or had been made members of these corporations. The latter would not be admissible under United Kingdom law for membership of the House of Commons. *Mr. Rushford*² undertook to examine further the question of whether offices in statutory corporations were public offices within the meaning of the Constitution Order and the exact extent to which holders of offices in such corporations would in this country be debarred from membership of the House of Commons.

(d) *The African Continental Bank*

The Secretary of State might point out to Zik that were a United Kingdom Minister to be involved in a series of transactions the result of which was that public funds

¹ See 298.

² Senior assistant legal adviser, CO.

were used to support an otherwise shaky institution in which he was directly interested he would be forced to leave political life. *Mr. Galsworthy* suggested that so long as open use could be made of the agreement between the Finance Corporation and the Bank, the Secretary of State might on the basis of Clause 13 of the agreement ask Zik to sever his connection with the Bank and to renounce the personal benefits of the agreement. *It was agreed* to check with the Financial Secretary of the Federation the circumstances in which he obtained possession of a copy of this agreement. *It was agreed* to give further consideration to the advice to be given to the Secretary of State about who should accompany him in his talk with Zik.

Representation at the 1956 conference

4. *Mr. Eastwood* said that the preliminary Colonial Office view was that there were some bodies who might be entitled to be heard on specific subjects such as 'fragmentation' but who would not be entitled to attend the whole conference as representatives. He assumed that the Governor-General after receiving a general despatch from the Secretary of State would proceed as had been suggested in a recent letter from the Chief Secretary to call a small conference of representatives of the three Regional governments to deal first with the question of representation and then to consider what other bodies might be entitled to give evidence. Sir James Robertson agreed generally with this and said that as it seemed unlikely because of party rivalries that a satisfactory arrangement could be made for Ministers to represent the Federal view point, Federal representation would presumably fall on him and his principal officers. *Sir C. Pleass* recalled the recommendation in paragraph 27 of the London Conference Report that the representation should be of 'all shades of political opinion in the Federation' and expressed the view that it was essential that representation at the 1956 Conference should be much wider than at the earlier Conferences so that groupings other than the big three political parties should have adequate opportunity to make their views known'. *Sir B. Sharwood-Smith* said that he assumed that each Region could settle its own representation so long as a proper balance of representation between the Regions was observed. *Mr. Williamson* said that proper representation for Federal territories, i.e. Lagos and the Southern Cameroons, would also have to be arranged.

321 CO 554/1156, no 22

5 Oct 1955

[Nigerian constitutional talks]: CO minutes of a meeting of Mr Lennox-Boyd with Sir J Robertson and Nigerian Governors on issues relating to the proposed 1956 constitutional conference

I. H.M.O.C.S.

1. *Sir C. Jeffries* said that on the previous evening he had discussed with Sir E. Bridges¹ new proposals for H.M.O.C.S. (These proposals are contained in the paper 'New Formula for H.M.O.C.S.' attached to these minutes).² Sir E. Bridges had commented that the Treasury would prefer the proposals to apply only to territories

¹ Permanent secretary, Treasury, 1945–1956.

² Not printed. For HMOCS, and its establishment in 1954, see BDEEP series A, vol 3, D Goldsworthy, ed, *The Conservative government and the end of empire, 1951–1957*, part II, 219–242.

on the verge of self-government and that any general statement about the new Service should contain no hint that the United Kingdom Government might in certain circumstances be prepared to supplement the emoluments of serving officers where these were below a level the United Kingdom regarded as reasonable in the current circumstances. The Treasury would prefer to use the device of an educational trust to supplement inadequate salaries rather than a direct salary supplement. The Treasury still held the view that if any particular territorial government did not provide reasonable conditions of service pressure should first be brought to bear upon it to improve conditions and if this failed the United Kingdom could only recommend the officers to leave.

2. *Sir J. Robertson* said that as a matter of presentation to Nigerian Ministers it would be better for the new proposals to apply to the whole of H.M.O.C.S. rather than only to officers in territories approaching self-government.

3. *Sir C. Pleass* said that the object of new arrangements for H.M.O.C.S. must be to encourage officers in the Regions which would shortly attain self-government to stay. It would be necessary to provide a strong inducement to achieve this as many Ministers at least in the Eastern Region had made themselves very objectionable to serving officers. *Sir C. Pleass* did not consider that the new proposals provided a sufficient incentive to stay; officers would only stay if they were assured of a livelihood up to the normal Colonial retiring age, however their Ministers behaved.

4. Alternative means of providing a stable career were discussed and *Sir C. Jeffries* was invited by the Secretary of State to draw up fresh proposals to apply to territories approaching self-government as a supplement to the new proposals discussed with *Sir E. Bridges*. The basis of the supplementary proposals should be that members of H.M.O.C.S. in territories approaching self-government should be offered, as an alternative to retirement with compensation, continuing service in H.M.O.C.S. with an income guaranteed up to the age of 45. It should be possible to fit into existing vacancies in other Colonial territories most officers who accepted this offer but where this was not possible the United Kingdom Government would up to the age of 45 pay an officer, so long as he was available for employment in Crown service, a supplementary pension to bring his total emoluments up to the level of the Colonial post he had last held. In return for this guaranteed income officers would be expected to accept any employment to which they were assigned by the Secretary of State, including continuing employment, even if this was unpalatable, in the service of a self-governing territory.

5. *The Secretary of State* said that it seemed unlikely that the cost to the United Kingdom of guaranteeing an income up to 45 would be excessive. Pressure could be applied to Colonial Governments to encourage them to provide reasonable conditions of service and even if these measures failed the resultant cost to the United Kingdom had to be weighed against the substantial United Kingdom interest in maintaining both stable government and the United Kingdom connexion in territories approaching self-government. When fresh proposals were agreed with the Governor-General and Regional Governors he would be prepared to take them up personally with his colleagues.

II. *Political situation in the Eastern Region*

6. *Sir C. Pleass* said that on further consideration he wished to advise the Secretary of State that he should see Zik alone and that in general he should reason

with him rather than threaten him. So far as the proposal to establish a University in the Eastern Region was concerned there was much to be said on the side of the Eastern Region Government. It could be urged that the University College at Ibadan was far too expensive in proportion to its output of graduates and in any case was rapidly reaching saturation point in its ability to take in the many secondary scholars who were becoming eligible for admission. Zik would argue that without elaborate buildings and over-expensive staff a University could be set up in the East to meet the rapidly expanding needs of the Region.

7. *The Secretary of State* said that there were strict rules in the United Kingdom preventing a member of the House of Commons taking office with a statutory corporation and his brief for his talk with Zik should deal with these rules and also with the United Kingdom legislation restricting the number of Ministerial posts that could be created. These restrictions could be contrasted with the present situation in the Eastern Region in which 48 out of the 73 N.C.N.C. members in the Eastern House of Assembly held Ministerial office or were members of the newly created Corporations.

8. *Sir C. Pleass* said that he would like to consider further whether, on the assumption that Zik had transgressed the code of conduct of Ministers through the agreement between the Finance Corporation and the African Continental Bank, it should not be he himself rather than the Secretary of State who should take this matter up with Zik. *The Secretary of State* said that there would be further consultation with Sir C. Pleass about the brief for his (the Secretary of State's) talk with Zik before the talk took place.

9. *The Secretary of State* said that he would take a suitable opportunity to talk to leading members of the Labour Party interested in Colonial affairs about the situation in the East.

10. *It was agreed* that to ensure that Zik did not feel that he was being slighted by the Secretary of State it would be best if the Secretary of State should offer him hospitality before Zik left for the United States on the 23rd October, and then arrange to have his talk with him after his return from the United States on the 8th November.

322 CO 554/1156, no 24

6 Oct 1955

[Nigerian constitutional talks]: CO minutes of a meeting of officials with Sir J Robertson and Nigerian governors on issues relating to the proposed 1956 constitutional conference

I. *Inspector general of Nigerian police*

1. *Sir J. Robertson* said that the current tour of the retiring Inspector General would end in February, 1956, and it was desirable that he should be replaced as quickly as possible so that his successor could be in the saddle instituting the necessary reforms well before the constitutional conference due to be held in August, 1956. *Mr. Thomas* described the field which had been considered and *it was agreed* on the basis of the latest reports from certain territories about particular officers in those territories that Mr. Bovell, a Senior Assistant Commissioner of Police in

Malaya, aged 42, was the outstanding candidate for the post.¹ *Sir J. Robertson* said that it was unlikely that the provisions concerning the Police adopted by the forthcoming constitutional Conference would so restrict the scope of the post of Inspector General that an able and vigorous officer would find it irksome. *Mr. Thomas* said that as the Governor-General was prepared to accept Mr. Bovell he would proceed with the arrangements for an offer to be made as quickly as possible.

II. *H.M.O.C.S.*

2. *Sir C. Jeffries* said that after careful consideration he had reached the conclusion that it was not possible to draw up a workable scheme for guaranteeing existing incomes, by the payment where necessary of supplementary pensions, up to the age of 45. There were so many factors to be taken into account such as liability to United Kingdom Income Tax, the problem of officers to whom it might be desired to offer transfers to territories not in the scheme, and the health and efficiency of individual officers. He was fully in sympathy with the objective of an assured income and if possible an assured career, which *Sir C. Pleass* had advised the Secretary of State was essential if officers in the East were to stay in post, and he had reached the conclusion that this objective could best be attained by giving all pensionable officers in the territories specified by the Secretary of State the option of retaining their present status and with it the right in due course to compensation for loss of career or accepting transfer to a United Kingdom Government service up to the age of 45 on conditions to be fixed by the United Kingdom Government. This would mean that the salaries and other conditions of service would be prescribed by the United Kingdom so that the extent of the possible Treasury liability could be calculated with some precision. An Act of Parliament would be necessary.

3. *The Governor-General and Governors* welcomed the proposals outlined by *Sir C. Jeffries* and expressed the view that these proposals might well succeed in the objective of encouraging the majority of serving officers to remain in post. *Sir B. Sharwood-Smith* did not think that serving officers in the North would be unduly concerned if the scheme did not immediately extend to them as they would realise that it would be extended to them when the time was ripe. *Sir C. Jeffries* undertook to draw up proposals on these lines for consideration as quickly as possible.

III. *The meaning of regional self-government*

4. Discussion was resumed on the Colonial Office paper on the Meaning of Regional Self-Government. In reply to *Sir C. Pleass*, *Mr. Williamson* said that the proposal in paragraph 7 of the paper that the Federal Government and Legislature should be given powers to intervene in Regional affairs if it became necessary to do so to protect the unity of the Federation and/or the Federal Government in the exercise of its functions was inserted not only to meet and take advantage of the proviso in paragraph 28 of the London Conference Report but also because in the Colonial Office view it seemed best that disputes of the kind envisaged should so far as possible be dealt with by Nigerians in Nigeria. This seemed much better than procedure by way of suspending the Constitution of an offending Region, which would be regarded as an arbitrary act by a hostile Imperialist power (though the

¹ C S K Bovell became inspector-general of the Nigerian police in 1956.

power to suspend would be retained for use if necessary). It was hoped that it would not be necessary for the Governor-General in Council to have frequent recourse to these powers any more than it had so far been necessary for Regional Governors to make frequent use of their reserved powers. But the existence of these powers would sometimes enable the Governor-General in Council to negotiate with a Regional government before a clash came about, and should mean that many situations could be satisfactorily dealt with in Nigeria, without recourse to the ultimate sanction not lightly to be employed of a suspension of a Regional constitution by Order of Her Majesty in Council.

5. *Sir J. Robertson* said that if it became necessary for the Governor-General in Council to use these powers there might well be a considerable time lag in getting any necessary legislation through the Federal legislature. It was in any case doubtful whether a Federal Council of Ministers composed as at present would be prepared to take a properly Federal and objective point of view in considering differences with Regions. The Federal Ministers in discussing these differences were likely to take up the attitudes of the Regional parties to which they belonged so that the discussions might do no more than split the Council of Ministers. It might therefore be better if the powers were given directly to the Governor-General in his discretion so that the machinery of the Federal Government was not weakened in the course of straightening out relations with a Region. He agreed however that some provisions on the lines of paragraph 7 of the paper were needed. *Mr. Williamson* said that if any better proposals than those in the present draft paper could be thought up, the Colonial Office would be only too glad to receive and consider them.

6. *Mr. Eastwood* asked whether, when a Region attained self-government, there should not be provision in the new constitution for the Governor-General to disallow Regional legislation which he was advised was ultra vires. *Sir J. Robertson* felt that it would be better to leave the question of vires wholly to the courts whose status it was desirable to enhance. It would be open to the Attorney General of the Federation to take action at any time to test the vires of a particular Regional law and if necessary to obtain an interim injunction delaying the operation of the law until the question of vires had been decided. *Sir C. Pleass* agreed. The Federal Supreme Court was being established for this very purpose of settling disputes between Governments within the Federation, and he was sure Zik would strongly oppose any proposal to by pass it.

323 CO 554/905, no 4

7 Oct 1955

[Nigerian constitutional talks]: CO minutes of a meeting of officials with Sir J Robertson and Sir C Pleass on issues relating to the proposed 1956 constitutional conference

Structure of the federal government

1. *Mr. Williamson* said that, on the assumption that any proposal to fragment the North would be resisted, the Colonial Office were anxious to receive any advice which the Governor-General might feel able to give on the continuing dilemma over the question of representation at the Centre caused by the preponderant size of the Northern Region. The North provided half the elected representatives in the House of Representatives but only three out of the ten Ministers in the Council of Ministers.

The anomaly had become particularly obvious as a result of the last Federal elections, when the outcome had been that there were six N.C.N.C. to three N.P.C. Ministers in the Council. There might well be pressure from the different sides at the 1956 conference either to adjust Northern membership at the House of Representatives downwards or Northern representation in the Council of Ministers upwards. But while the position was anomalous, the Colonial Office so far could not think of any solution which would be likely to work better than the present one. The only positive suggestion he had for consideration was the—relatively minor—one, namely that it should be made possible for one of the Members for Lagos to become a Minister without otherwise upsetting the 3:3:3:1 arrangement. If this were agreed, a Lagos Member might be nominated by a Regional leader if he so desired in place of one of the three nominees from that Region.

2. *Sir James Robertson* said that it was clear that both the N.C.N.C. and Action Group delegations would press for reduced Northern representation in the House of Representatives, although Awolowo's demand was likely to be less intemperate than Zik's. But he would expect the North to reject such a demand: they might even walk out of the conference and contemplate a break-up of the Federal structure if the demand were pressed. As at present advised, he had no major change to recommend.

3. *Mr. Williamson* referred to the proposal for a second chamber at the Centre. He expressed the view that this had been put forward by the Southern parties mainly for political reasons, not on its own merits. Awolowo and Zik, by suggesting that the Regions should be equally represented in it, were aiming by this device to overcome the North's preponderance in the present House of Representatives. The North had fallen into this trap at the London conference, from which they had only been rescued by the Action Group's walk out over Lagos. They might well fall into the trap again. The balance of advantage, on the merits as opposed to the politics of the matter, seemed against a second chamber because it would seriously delay all legislative processes, and thus appear to weaken the authority of the Federal Government, and there would also be the problem of staffing it, including the question of a President or Speaker.

4. *Sir James Robertson* agreed that the demand for a second chamber would be advanced. He believed that the power asked for the chamber would largely be those of a deliberative and delaying nature similar to those held by the House of Lords. The effect of a second chamber would certainly be to delay legislation: it would make the machinery of Federal government very cumbersome and it would be administratively inconvenient as there was no accommodation in Lagos for a second chamber or staff to serve it. Furthermore one of the objections to a second chamber had always been the lack of a sufficiency of responsible public men to fill it and this objection still held. At the same time, as a matter of tactics at the 1956 Conference, it might be better in the long run to concede the demand for a second chamber as a safety valve to the pressure generated over Northern representation and electoral qualifications rather than to allow the conference to break down on these issues.

5. *Sir C. Pleass* said that the N.C.N.C. were likely *inter alia* to press hard for three points:—

- (a) a uniform electoral law throughout Nigeria—which the North would inflexibly oppose;

- (b) a reduction in Northern representation in the House of Representatives; or, failing success on these two points
- (c) a second chamber at the Centre in which the Regions would be equally represented.

These were precedents such as the United States Senate for the equal representation of States of differing size and resources in the second chamber of a Federal legislature.

6. *Mr. Eastwood* said that if a second chamber were conceded, there would then be the problem of who should sit in it, and how the members should be chosen. Who, for example, would come from the East in the absence of recognised Chiefs of standing?

7. *Mr. Williamson* said that he felt that more thought would have to be given to the precise requirements concerning electoral qualifications, and possibly these should be more closely defined in the next constitutional instruments. It was arguable that under the present constitution too much was left to local regulations, made so far as federal elections were concerned by the Governor-General in Council on the advice of the Regional Governors in Council. *Sir C. Pleass* agreed that the present regulations in some respects, particularly those in the West, were open to serious criticism, but he doubted whether electoral regulations could be laid down in detail in the constitution of a self-governing Region. *Sir James Robertson* said he would have a note prepared in Lagos about the present position as regards the electoral regulations, with any recommendations for possible improvement, and would send it for consideration in the Colonial Office.

324 CO 554/1181, no 62

8 Oct 1955

[Eastern Region crisis]: minute by C G Eastwood on a meeting between Mr Lennox-Boyd and Malam Abubakar Tafawa Balewa

Mr. Williamson

The Secretary of State told us yesterday afternoon that he had had an interesting conversation with Abubakar at lunch yesterday.

Abubakar, who quite realized the seriousness of the situation in the Eastern Region, urged the Secretary of State not to change the policy already agreed (limited self-government in 1956, etc.) but to go ahead with it, letting the Eastern Region if need be break down. British officers could then go in and clear up the mess. He thought this would be a good object lesson for others.

When the Secretary of State asked him how the British officers could be provided he suggested that those who left the Region should be immediately taken on to the Federal service, to fill vacancies or if necessary as supernumeraries, so that they would be available to go back at short notice. He said also that he hoped that if officers left the Region they would not go in dribblets but go all together.

The Secretary of State 'took note' of his views.

You may like to put this on record somewhere. Whether it would be quite as easy as Abubakar supposes for British officers to 're-occupy' the Eastern Region once they had left it in chaos is another matter.

325 CO 554/904, no 6

18 Oct 1955

[Nigerian constitutional talks]: letter from T B Williamson to Sir J Robertson on proposals for a uniform electoral law

[From late 1955 until the middle of 1956 the CO began drawing up a series of briefs on the various topics that would be considered at the constitutional conference due to be held in 1956 in London. This involved extensive consultation between the CO and the Nigerian governments. The key issues considered included the administrative and financial impact of regional self-government, the need for a uniform electoral law (337) and the question of a second house at the centre. The following document illustrates the discussions that were occurring during this period.]

During our last, rather hurried, meeting here on the afternoon of the 7th October we talked towards the end about the subject of electoral qualifications. I think the minutes (paragraph 7 of N.C.(0)55. 5th Meeting)¹ record pretty accurately what was said, but I am afraid that in the last minute rush I did not really make at all clear what I had in mind, and the purpose of this letter is to attempt to repair that omission so that you may have a better idea of the kind of note which we want from you and which you kindly undertook to have prepared.

2. What I had basically in mind was how H.M.G. should deal at the conference with the N.C.N.C. demand for a uniform electoral law throughout Nigeria, a point to which Pleass had referred earlier in our discussion. He has also warned us in correspondence that this demand will be pressed, and we have no doubt at all that it will be pressed hard as it presumably represents the N.C.N.C.'s only hope of capturing enough seats in the North to give them a majority over all other parties at the Centre. The Secretary of State will accordingly require a careful brief on this subject, and the note we are looking forward to receiving from you in due course might be prepared in the form of a draft for that brief.

3. There are, as we see it here, several aspects to this problem.

4. First, the qualifications for representative or elected membership of the Federal and Regional Houses are already laid down in the Constitution Order in Council: sections 9–10 and 38–39. Those sections are, I think, satisfactory and if you and the Regional Governors agree our aim should presumably be to maintain them intact. Presumably the Southern parties will make no serious attempt to say that women at this stage should be able to represent the North, though this is a point for consideration. And unless we are driven to it, I imagine we shall not permit French Cameroonians to be elected as members for the Southern Cameroons (a point about which I have been in correspondence recently with Ralph Grey). Your note will no doubt include a short reference to these aspects of the matter, with any recommendations.

5. But it is when we come to the qualifications for electors, as opposed to elected members, that we get of course to the heart of the problem. The relevant sections in the Constitution Order in Council are, I think, 8 and 37, and these sections empower the Governor-General and Governors to make the necessary provision by regulations. It is here we suppose that the N.C.N.C., with support from N.E.P.U. and possibly the Action Group and other parties, will fight for a uniform electoral law, on the basis of (a) universal adult suffrage (male and female even in the North?) and (b) direct elections (i.e. not through colleges). Whether they will argue for this law to be

¹ See 323.

applied not only to the Federal elections but to the Regional and possibly local government elections as well, we do not know; but we shall need to be ready to deal with the matter on all three counts.

6. So far as Federal elections are concerned, the position as finally agreed at the London Conference in 1953 was that there would be no need for uniformity in electoral procedure between the Regions (see paragraph 14 of the Report of the London Conference—and also Hugo Marshall's secret and personal letter (No. 278/22) to me of the 14th July last). I take it that while we shall have to let the East and West (and Lagos too) have universal adult suffrage by direct election if they want it, our main aim will be to defend indirect elections in the North or much of the North (and ? in the Southern Cameroons too), largely for the reasons so cogently argued by Sharwood-Smith in the enclosure to his secret and personal letter (TS 53521/s.7/III/489) of the 20th May last, of which he sent a copy to Ralph Grey. Presumably also we shall need to support the North if they do not wish to extend the franchise to women at this stage.

7. It is going to be difficult, I feel sure, to defend publicly a refusal to agree to universal suffrage and direct elections in a territory thought to be nearing self-government. But I believe there is a growing, if still small, body of enlightened opinion here which realises the dangers of going too fast with the franchise in territories where the bulk of the population is still immature. In this connection you will no doubt have seen Oliver Wood's two articles on Democracy in Africa in the London 'Times' of October 14th and 15th. There are some in this Office who agree very much with what he says about universal suffrage. We cannot put the clock back now, and our aim should therefore presumably be to see that it is not put further forward prematurely. As Lord Chandos wrote in an article I read recently, there is no quicker way of putting the clock back than by putting it forward too quickly.

8. We used to think that there was much to be said in favour of direct as against indirect elections because indirect elections favoured the buying over of members: to buy over a number of members of an electoral college seemed easier than to buy over the whole electorate. But we gather from recent Intelligence Reports from the East that that view is out-of-date, because with direct elections all you have to do if you have enough money is to bribe the rival candidate not to stand—an easier and cheaper way of securing the object in view than having to deal with a considerable number of members of an electoral college.

9. The considerations outlined above with regard to Federal elections may apply *mutatis mutandis* to Regional elections. The note will no doubt deal with this.

10. Finally—and this is the point that is brought out in the minutes of our discussion of the 7th October—there is the question whether electoral qualifications for electors should be embodied in the constitutional instruments and not left to be laid down locally by regulations. The advantage of dealing with the matter in the constitution is, of course, that if we get it right an irresponsible local Government cannot force a change. But we recognise that, as Clem Pleass pointed out, it may well be impracticable to deal with electoral regulations in detail in an Order in Council.

11. I expect there are a good many problems in connection with this which I have not touched on above, but I trust that the foregoing will be of some help to you—more help than our discussion was—in showing you the kind of note we would like to receive.

12. I am sending copies of this letter to Rankine, Conrad Williams and Mayne.

326 CO 554/935, no 1

26 Oct 1955

[Regional self-government]: letter from Sir J Rankine to T B Williamson on a motion for self-government for the Western Region in 1956

[At the end of 1955 the CO was faced with a determined demand by the Western Region government for regional self-government from Jan 1956. The CO view was that at the 1953 London conference it had been agreed to promise regional self-government in 1956 to any region that requested it (236), but that this did not necessarily mean that such self-government would begin that year. Rather, the implementation of regional self-government would still have to be discussed at the constitutional conference that was to be held during 1956, not least because of the likely impact of self-government in any one region on other regions. The CO's advice to Rankine, in response to the letter reproduced here, was that he should explain this to the Western government and attempt to stall the issue as far as possible. Indeed it was to be made clear that even if such a motion should be passed by the House of Assembly, the secretary of state would not approve it before it had been discussed at the proposed conference; 'Her Majesty's Government are not (repeat not) to be stampeded for the sake of a few months' (CO 554/935, no 2, Williamson to Rankine, 2 Nov 1955).]

I attach, for your information, a copy of a memorandum which the Premier and the Minister for Justice have asked to be considered in Executive Council, and from which you will see that they propose to move a motion in the House of Assembly asking for self-government for the Western Region with effect from the 1st January, 1956.¹ The memorandum will also give you useful indication of what they mean by self-government and what they hope to achieve. It is to be discussed in Executive Council on the 31st October.

It requires a good stretch of the imagination to read the interpretation which they seek to give it into paragraphs 27 and 28 of the record of the London Conference, and I am quite sure that no one at the time thought that they were agreeing that the 1956 Conference was to be convened to discuss self-government at the Centre only. I am afraid that there is little doubt that the possibility that such an interpretation might be placed on the record has since occurred to some of the Ministers and they are anxious to make use of it and pass an electioneering Resolution in the House of Assembly. The object of the Resolution would, of course, be to steal a march on the N.C.N.C. by appearing as the Party which was taking the lead in asking for self-government.

I have discussed the matter, and especially the tactics I should adopt in dealing with it, with the Governor-General, and he agreed that we cannot very well prevent their moving a Resolution if they wish to do so, but that I should try to persuade them not to and point out that we do not see how that interpretation can reasonably be placed on the record. In any case we are aware that that was not the intention. If such a Resolution were passed the Secretary of State could only say that whilst the promise of regional self-government still holds good the question must be considered after the 1956 Conference as was agreed at the London Conference. I feel sure that the Ministers must be well aware in their own hearts that this was the agreement, and I hope I may be successful in persuading them not to proceed with the proposed Motion.

If you have any comments on the other matters raised in the paper I should be glad to have them. You will note that they do not raise the question of the Governor

¹ Not printed but see 330. Rotimi Williams was Western Region minister of justice.

presiding at Ex. Co. I do not know whether this is intentional or merely an oversight; I think it must be the latter.

I am sending a copy of this letter to the Governor-General and to the other Governors for information.

327 CO 554/840, no 97

Nov 1955

'Recent political developments in Nigeria': CO brief for Mr Lennox-Boyd for the Anglo-French ministerial talks, Nov 1955

The French should already be well informed on this subject because they receive our regular monthly Political Intelligence Summaries.¹ Also, at the meeting at official level on the 31st May last they were given a full exposition of the political and constitutional problems of Nigeria.

2. The Secretary of State may wish to mention the proposed visit to Nigeria, early next year by Her Majesty The Queen and H.R.H. The Duke of Edinburgh, and to say that he is sure that the Royal party will receive a most enthusiastic welcome.

3. The Secretary of State may also wish to refer to his own visit to Nigeria at the beginning of this year, and to give some of his personal impressions.

4. As regards other matters he could speak on the following lines.

5. The new constitution has been in operation just over a year, and on the whole it is working well. There is now, for example, less friction between the Regions and the Centre. But there are certain clouds on the horizon.

6. The Regional and Federal Governments have tended to go their separate ways on such important matters as levels of wages, and this is leading to difficulties. For example the minimum daily wage paid by the Western Regional Government to its own employees is now 5/-. But there are employees of the Federal Government in the West who receive less. It is difficult at present to see how such difficulties can be resolved because the Governments, i.e. the politicians in them, tend to deal with these matters from the point of view of personal and party advantage, rather than on their merits and in the interests of Nigeria as a whole.

7. There is an acute shortage of staff, particularly experienced European staff, throughout the territory. It is difficult both to retain existing staff and to recruit fresh staff owing to the feelings of uncertainty on the part of expatriate officers as to what the future holds for them. In addition, in the East mainly, but also in the North and West, there has been tactlessness and sometimes arrogance and offensiveness on the part of Nigerian politicians towards British Civil servants. But the Secretary of State *may* wish to mention that he is formulating comprehensive proposals in an attempt to deal with the problem of the public services in Nigeria and elsewhere.

8. Government has not been going at all well in the East, where Ministers have shown signs of irresponsibility and dishonesty. While it would probably not be politic to make more than a short reference to this point, the matter should be mentioned—though it might not be wise for the Secretary of State to mention his talk with Dr. Azikiwe (due to take place on the 10th November).

9. In the North there has been tension in recent times between the traditional Chiefs and the rising politicians. Brief mention should also be made of disquieting

¹ See 281.

signs on the religious side. There has been an increasing spread of militant Tijanism, a movement in which the Emir of Kano is prominent. The Sultan of Sokoto, hitherto acknowledged as the spiritual leader of Muslims in the North, is head of the Kadariyya 'tarikh', and this 'tarikh' being more moderate and restrained tends to lack popular appeal to the unsophisticated peasants. There are the seeds of trouble here, and also in the fact that some of the more extreme Muslims in the North are showing signs of anti-British feeling. (They dislike us both for our Christianity and our 'democracy'). The whole situation will require the most delicate, skilled and patient handling and while too much should not be made of it the French (who tend to think we are not sufficiently aware of the menace of militant Pan-Islamism) will be interested to know that we are aware of these possible dangers and are confident that the Governor, Sir Bryan Sharwood-Smith, with his long experience of Islam in Northern Nigeria, will succeed in surmounting them.

10. As regards '1956', the Secretary of State may care to refer to paragraphs 27 and 28 of the Report of the London Conference of 1953 (copy extract attached).² He can say that he has recently sent a confidential despatch to the Governor-General asking him to consider and recommend who should be invited to participate in the conference having regard to the fact that 'all shades of political opinion in the Federation' must be represented. We do not yet know when the Conference will be held, though August 1956 seems a likely date.

11. The Secretary of State might point out that while there is reason to believe that many of the leading politicians do not really want regional self-government in 1956, present indications are that the Action Group Government in the West will claim it, and that the N.C.N.C. Government in the East will feel obliged, for reasons of political prestige, to follow suit. The North may claim regional self-government as well, though this seems unlikely at present, but even if they do there is no question of Nigeria as a whole becoming independent at this stage. In other words it is possible to envisage a situation in which all the Regions might for a time have regional self-government, while the Federal Government remained dependent. The Secretary of State may wish to say that in his view Nigeria as a whole will not be able for many years yet to sustain self-government as a united country.

12. If asked about the Cameroons, the Secretary of State should say that careful regard will be had to the wishes of the Cameroonians, in the same way as care was taken at the London and Lagos conferences to find out what they really wanted.

13. Care should be taken *not* to promise the French that we will consult them in advance about any of these matters. We will, however, continue to keep them informed.

² Not printed.

328 CO 554/856

3 Nov 1955

[Business interests]: minute by H A Harding¹ on likely business views of a new constitution [Extract]

. . . In the light of what the Shell Company and Kennecott Copper have said to me in recent months and of the comments made in the report by the F.B.I. mission, I think

¹ Deputy secretary, WAC, 1948, assistant secretary, CO, 1950.

I have a fairly clear idea of some of the principal matters to which a would be overseas investor would attach importance in regard to the division of functions under a new Nigerian constitution.

Firstly, it is clear that they would like as much as possible to come under the Federal Government on the grounds that this is likely to be a more responsible body than any of the Regional Governments and that in the last resort reserve powers would still continue to exist. They realize, however, that matters have gone much too far for this to be possible and that in particular they must deal with Regional Governments over matters of land. It would, however, be a severe blow to their confidence if either income tax or export duties or mining generally were to become regional subjects. On the other hand, while they wish these subjects to be controlled by the Federation Government, they are not at all happy that the Regional Governments should not benefit reasonably directly from the wealth created by overseas investment. I am myself far from clear to what extent the division of Federal revenue between the regions is effected on the basis of derivation, but I think that ideally overseas investors would like to see the Regional Governments benefit directly from a fixed proportion of the revenue which the Federal Government collected from industrial activities in the various regions so as to avoid as far as possible the Regional Governments taking action to circumvent the Constitution's provisions about taxation by introducing the sort of taxes discussed in the Zik/Ojukwu Report.

I think these views are of considerable importance but I realize that it is going to be a difficult job to secure agreement on any Constitution at all, let alone one which will render Nigeria attractive to the overseas investor, and having made the point I must leave it to others to decide how far it is practicable to press it.

329 CO 554/905, no 10

4 Nov 1955

[Nigerian constitutional conference]: letter from Sir J Rankine to Sir J Robertson supporting demands for a second chamber in the new constitution

Looking back on the record of the discussions held in London at the beginning of last month, I see that on the afternoon of the 7th October after I had left London, the question of a Second Chamber was considered in connection with the structure of the Federal Government. As I have fairly strong views on this subject and as they do not appear to be in accord with the consensus of opinion at your discussion I think I ought to let you have them for what they are worth.

I have served in a good many Legislatures and in several territories which were extremely active politically. I have also served in and had some experience of a Second Chamber in action. Taken by and large in the strenuous and often turbulent conditions of many Colonial territories these days I believe that a Second Chamber can be very salutary addition to the Legislature. It is true that if its powers are used injudiciously it can make the machine of government more cumbersome and that it can delay measures. But surely the latter power is an advantage not a disadvantage. After all the Second Chamber must go fairly carefully about the

business because if it goes too far it may only lead to a head-on collision with the Lower Chamber with the result of the curtailment of its powers (1911 Parliament Act) or its abolition. But a single Chamber, if its members are fractious or if its powers are abused, can be equally obstructive if not more so. The powers of restraint and delay I suggest can be very valuable. For instance, one of the characteristics of our people here is that they are extremely volatile, head-strong and impatient. There have been a good many occasions recently when a little restraint and delay would have been a very good thing indeed. Unfortunately the House of Chiefs does not yet fulfil its proper function, but I hope that one day it will. That does not get away from the fact that there is a very useful function there for it to perform if and when it did.

One of the main criticisms of our performance in many Colonial territories today is not that we are going too slowly but on the contrary that we are going much too fast. Please see Oliver Woods¹ two recent articles in 'The Times'. I believe that when Africa really awakens politically and universal adult suffrage takes its full effect there is bound to be a very strong and rapid swing to the Left. Places like the North seem to me peculiarly susceptible to such a movement even in spite of the restraint of Islam. If and when that takes place I have little doubt that politicians in power may wish to introduce far-reaching or even revolutionary policies far quicker than the people may be able to digest them. A restraining, delaying and moderating influence then may well be invaluable. In Barbados, for example, with which you may be acquainted, during the years of the rapid change of power from right to left and especially from white to black there would have been very serious trouble but for the moderating and stabilising influence of the Upper Chamber, the Legislative Council.

I suggest therefore very strongly that a Second Chamber is at least well worth serious consideration. I should be the first to admit the force of your argument that it would be difficult at present to find enough educated and responsible people to fill two Chambers of the size of the present House of Representatives, but my impression is that the present House is too large for our conditions. It might with advantage be considerably reduced if a Second Chamber were added.

I think at least, with all due respect, that it would be a great pity to turn it down mainly because it was 'administratively inconvenient' or that there was no accommodation for it in Lagos at present. It does not take a very large staff to run a Second Chamber. On the contrary, in Barbados where nearly everything was done by Parliamentary process, where the Lower House met every week and where there was sufficient business for the Council to meet nearly every week; where there was certainly a great deal more business than is likely to be the case in Nigeria for some time to come, the Upper Chamber was run by one coloured clerk without difficulty. Surely it could easily be arranged for it to use the House of Representatives' Chamber when that Chamber was not in session. The fact that we have had only one Chamber available here for the past two years has not really caused any embarrassment.

If you think that there is any force in the arguments I have adduced above you may consider sending a copy to the Colonial Office and the other Governors.

¹ *The Times* Africa correspondent.

330 CO 554/935, no 14

9 Nov 1955

[Regional self-government]: inward savingram no 21 from Sir J Rankine to T B Williamson on the motion for self-government for the Western Region in 1956

Your telegram 64. SELF-GOVERNMENT MOTION.

Your telegram No. 60 crossed my telegram No. 44. Unfortunately the Premier is absent on tour in the Creeks and is not accessible but I had a further talk with Rotimi Williams on the 7th November, and expressed to him the Secretary of State's surprise and disappointment at the course they proposed to take.¹ I then gave him the substance of paragraph 2 of your telegram 60.

2. The Minister informed me that so many resounding promises have been made centering on the magic date of 1956 that it was essential for them to do everything they could to ensure that regional self-government did in fact eventuate in 1956. They felt that if discussion on this topic had to await the Conference, followed by the inevitable delays in drafting the necessary Constitutional instruments, there was no hope at all of achieving their deadline.

3. I then advanced the arguments contained in the second part of paragraph 3 of your telegram 60. I told him once again that they need have no fears that the promise of self-government would not be fully honoured when the time came, and suggested that the real point of difference was not the ultimate aim but the means of achieving it. The proposed Motion in the Legislature could not strengthen their case. On the contrary, it would be apparent for what it was, an expedient to gain electoral advantage, and might create unfavourable impressions amongst their friends abroad. I suggested that on the other hand there was everything to be gained by setting out their case in a memo, as had been agreed with the Secretary of State when he was here, which I could forward to him, the Federation and the other Regions on the salient points for consideration at the Conference. This would save valuable time by enabling preliminary work to be begun on them.

4. I think the Minister was impressed by these arguments but, as I have already reported, I do not think that anything will now turn them from their course. Allowance must be made for the Yoruba mentality. I think they have some sense of guilt, and I am quite sure that further argument will only excite their characteristic stubbornness and harden them in their decision.

5. The Minister has promised to complete the draft memorandum—at present it is intended to be in the form of a draft White Paper to which the proposed Motion would be related, and has now asked for my comments on it. Meanwhile he agreed to take no further action or let it be known that they propose to move a Resolution until I have had an opportunity of discussing the matter further with him and his colleagues on November 18th and of putting to them any representations that the Secretary of State may wish to make.

6. I must now turn to the tactics to be employed if Ministers, despite my advice to the contrary, decide to go ahead with the Motion, as I have little doubt they will. I shall, of course, proceed on the lines suggested in paragraph 5 of your telegram 60, if

¹ See 326.

the Secretary of State instructs me to do so. I ought to make it quite clear, however, that having given the matter the most careful thought, I am quite sure that such action would be unwise and might have an unfortunate psychological effect introducing a bitterness into the debate and subsequent election campaign that might be avoided by the adoption of a different line of approach.

7. I do most earnestly advise that the only course of action at the moment is 'sweet reasonableness' and the avoidance of anything which might embitter relations between the Ministers and H.M.G., relations which at present are good. It is not as though the Ministers are not fully aware of all the arguments. What is more they have left me in no doubt that they are not only aware of the answer the Secretary of State must give to their request but that, if it is couched in reasonable and sympathetic terms, they will accept it. What I fear is that if the Secretary of State should give what they might consider to be a 'dusty' answer or writes in the terms suggested in paragraph 5(a) and (b) of your telegram 60 and in particular in the tenor of the last sentence of paragraph 2 of your telegram 64, the Ministers may convince themselves that an attempt is being made to stultify in advance what they regard as a perfectly legitimate parliamentary device for bringing the views of the Legislature to the notice of H.M.G. Whilst I should hesitate to accuse them of seeking to manufacture an emotional battlecry for the coming elections, I can well imagine one developing over this issue unless it is played with the utmost finesse and delicacy. I do not need to remind you that there is no easier fulcrum against which to generate emotional feelings than an alleged wicked attempt of an imperialistic government to go back on a promise of self-government. This would provide them with a heaven-sent slogan for their election campaign which might well put the N.C.N.C. in the shade.

8. I suggest that if I am again unsuccessful on November 18th in dissuading the Ministers from their present intentions, no further overt action should be taken before the Regional Legislature meets in December. The Motion would then be debated in the House of Assembly on December 21st and in the House of Chiefs on December 23rd, and assuming it is passed will shortly afterwards be sent to me by the Clerk of the House for transmission to the Secretary of State.² In my covering dispatch forwarding it I might express some of my doubts and mention particularly the points in paragraph 3(a) and (b) of your telegram 60.

9. I would further suggest that in his reply the Secretary of State should take care to avoid any imputation of bad faith against the Ministers but rather on the basis of 'sweet reasonableness' treat the matter as a genuine difference of interpretation of the intention of the London Conference. He might then go on to say that whilst he fully appreciates the West's sense of urgency in achieving self-government, he cannot interpret the Conference proceedings in the same light as they do. The point in paragraph 3(a) of your telegram 60 might then be made and finally he might express his regret at his inability in the interests of the other parts of the Nigerian Federation to meet the Prayer of the Legislature although the substance of that Prayer will be given urgent consideration at the 1956 Conference.

10. Copies of this Savingram are being sent to the Governor-General and other Governors for information.

² The motion for self-government from Jan 1956 for the Western Region was passed by the Western House of Assembly in Dec 1955.

331 CO 554/1226, no 4

9 Nov 1955

[Ikpeazu Commission]: letter from C J Mayne¹ to T B Williamson on reactions to the Ikpeazu Commission into bribery and corruption in the Eastern Region

[The background to the Ikpeazu Commission lay in serious allegations of corruption that were made against Eastern Region ministers in mid-1955, coinciding with the appointment of several commissions of inquiry into possible corruption in local government councils (most notably Onitsha) in the region. On 15 September the Eastern Region government established a commission of inquiry under the chairmanship of Mr C Ikpeazu 'to make a formal inquiry into allegations of bribery and corruption in all branches of public life in the Eastern Region of Nigeria and to consider measures for the eradication of such bribery and corruption as may be found'. Two of the main cases the commission examined concerned allegations against the Eastern minister of land (M C Awgu) of irregularities in the allocation of building sites on Crown Land and allegations against the Eastern minister of finance (M M Ojike) over the award of the contract for the Onitsha market; the latter claim in turn became embroiled in local Onitsha political tensions. The commission became entangled in claim and counter-claim and its meetings became heated affairs, virtually grinding to a halt by the end of the year. The commission cleared Azikiwe and other senior NCNC figures of corruption, but its four members split over the charges against Ojike, who in any case refused to resign despite pressure from the premier. In the end the report of the commission was rejected by the Eastern government. However, the significance of the commission lay in its opening up of wider issues of corruption in the region. One of those most ferociously attacked before the commission was E O Eyo, a strong supporter of Ojike, government chief whip in the House of Assembly and chairman of the Eastern Region Development Corporation. Criticised by NCNC back-benchers in the House, Eyo was to launch the attacks on Azikiwe's probity that led to the Foster-Sutton Tribunal later in 1956. See 365.]

As you may know, there is now an official Commission of Enquiry into Bribery and Corruption in the Eastern Region. The Commission, under the chairmanship of a barrister, by name Ikpeazu, began its proceedings about ten days ago. It is at present holding the first sessions in Enugu and the intention is that in the course of the next three months it will visit each administrative Division in the Region.

There has been, in the last day or so, a marked reaction on the part of certain Ministers to the present and proposed activities of this Commission and I think you will be interested in what has so far happened.

Yesterday at a meeting of Executive Council, one of the items on the agenda was an application for augmentation of the funds required to meet the expenses of various Commissions, amongst them the Commission of Enquiry into Bribery and Corruption. The Minister of Finance, (Mbonu Ojike) who, from his manner, appeared noticeably agitated, at once accused the members of the Commission of wasting public funds by indulging in delaying tactics—it should be mentioned that each member of the Commission is entitled to an allowance of three guineas a day. He went on to say that this extravagance must be stopped and suggested that the Commission should be instructed to wind up its proceedings within thirty days. This suggestion was discussed and received warm support from all the Ministers present—all except from the Minister of Welfare (Esin).

¹ C J Mayne, deputy gov Eastern Region.

It was very clear from the Ministers' manner that they were anxiously looking to me for support. When this was not forthcoming and when I pointed out to them the obvious inferences which would be drawn if any attempt were made to curtail the activities of the Commission unreasonably there was reluctant agreement that no specific time limit should be fixed. They agreed, however, that the Minister of Finance should see the Chairman of the Commission and should impress upon him the need for economy.

After the meeting I learned from the Secretary to the Premier that Ojike had told him that he, Ojike, 'had a headache'; he wished him to see the Chairman and tell him that the Commission was to wind up by mid-December at the latest. This, of course, was quite contrary to the Executive Council decision.

The Secretary to the Premier, doubting from past experience of Ojike whether what he said was true, stalled and took no further action, pointing out at the same time that he felt it would be most improper either for him or for the Minister himself to see the Chairman.

Notwithstanding this advice Ojike called Ikpeazu to see him and said that it had been decided that the period of the Commission's operations should be curtailed. This was partly for reasons of expense and partly because it was considered 'inappropriate' that a Commission into bribery and corruption should be sitting in Nigeria's 'big year' when the Queen would be visiting the country. Ikpeazu's reaction to this (which I have from a very reliable source) was immediate. He said that if there was any suggestion of curtailment, the Commission would spend its time evenly between Enugu, Onitsha, Aba and Port Harcourt.—that is in the centres where the accusations against the corruption of the present Government and the Party generally have been most vociferous. It is, perhaps, not without significance that Eyo, the Chairman of the E.R.D.C., whose reputation for crookedness is notorious, was present at this meeting.

There can be little doubt that many of the Ministers are seriously concerned at what they fear may emerge from the Enquiry. It is reliably reported that Ikpeazu is determined, if he can possibly do so, to bring to light evidence which will incriminate them. He, with other members of the Commission, but not officially as the Commission, has already interviewed several persons who have made accusations which suggest very strongly that Ojike, as Minister of Development, had taken large bribes from the Italian firm concerned with the construction of the Onitsha market and also that several Ministers had indulged in large-scale corruption in connection with the allocation of plots of Crown land in Aba. Ikpeazu, it is said, is attempting to persuade those who have made these accusations to come forward and made them openly before the Commission.

It is of course impossible to say whether the evidence of corruption on the part of Ministers will be brought into the open or whether, if it is, there will be sufficient to justify the institution of criminal proceedings. You will doubtless appreciate that quite apart from the very real fear of victimisation, many of those who have it in their power to incriminate Ministers, cannot do so without involving themselves and this in turn tends to discredit them.

All this is rather inconclusive. Nevertheless, I think you may be interested in what has transpired so far.

332 CO 554/1109, no 54A

10 Nov 1955

[Eastern Region crisis]: note by Mr Lennox-Boyd on his meeting with Dr Azikiwe

[On 10 Nov 1955 Lennox-Boyd met Azikiwe in the CO for the 'talking to' that had been determined on at the 4 Oct meeting of officials and governors (320). Despite the desire not to slight Azikiwe, it was, as can be seen, a frank discussion that included reference to the African Continental Bank affair (see 317) and criticism of the financial policies being pursued by the Eastern government, as well as its patronage appointments and its apparent hostility to expatriate officers. The preparation for this meeting can be found in 'brief for talk with Dr Azikiwe, 10 Nov 1955' (CO 554/1181, no 67).]

Dr. Azikiwe called on me at 3 p.m. on Thursday 10th November, 1955.

2. After exchanging courtesies I said I wanted to speak frankly to him about a number of things that his Government were doing and about which I was becoming seriously perturbed. I made it very plain that I wanted to be helpful but emphasized that I could not be very helpful unless he and I had a clear understanding of each other's points of view. He agreed.

3. I then mentioned the Zik/Ojukwu Report, 'The Economic Rehabilitation of Eastern Nigeria', pointing out that many of the things that appeared to flow from that report were likely to lead the East into a host of financial and other difficulties which might well result in Zik and myself being thoroughly discredited. I emphasized, however, that our personal fortunes were of far less concern than the damage which would be done to British Colonial policy if its critics were to be supported by a failure in Eastern Nigeria. That, I said, was my justification for asking the frank and personal questions which were to follow.

4. The proposals in the Report would no doubt appeal greatly to his electorate but I suggested that it was improper to encourage hopes of better things when the means to provide them might not be forthcoming. Zik appeared to agree that he could not expect any great help from any redistribution of Nigerian revenues that might be made but appeared to pin his hopes on attracting investors from overseas. He was obviously very disappointed with the reactions of British industrialists. I suggested that the apparent gay disregard for prudent finance shown in his Report might be largely responsible for such reactions. The hard headed investor was not likely to be wooed in the same terms as his electorate. We then went into detailed discussion of the East's revenues and reserves during which I told him frankly that his hopes of borrowing £35 million were wildly optimistic. We discussed revenues in the light of the ambitious new educational proposals in the Zik/Ojukwu Report and the fact that the East was already spending a third of their revenue on education. I queried in particular the wisdom of the promise of universal free education in 1957. Zik took refuge in saying that his Ministers of Education and Finance seemed optimistic but they would probably have a report for him on this matter when he got back. I pressed Zik to look into it carefully because no investor could be expected to put his clients' money into the Eastern Region if the Region's resources were to be stripped for a programme like this—however desirable it was to spend more on education.

5. I next questioned Zik about the proposal to establish a new University in the Eastern Region. He suggested that if the Enugu branch of the College of Arts, Science and Technology had got off to a better start the East might have been less

insistent on having a new University. But he maintained that University College, Ibadan, and universities abroad could not provide the places for all those in the Eastern Region who merited higher education. I pointed out the colossal cost of setting up a new university to which he replied that it would be spread over 10 years; the time it would take to get it going properly. Meanwhile he confirmed that £2½ million would be forthcoming from the Marketing Board at the end of the year. I also mentioned that Dr. Ikejiani was hardly the sort of person to represent the Eastern Region on the governing body of University College, Ibadan. Zik thought he had left that job.

6. We next went through my despatch on the Economic Planning Commission and the plethora of corporations, which led to a discussion on patronage. I said that it would be unthinkable for members of our House of Commons to sit on the Boards of public corporations and, indeed, that it was expressly provided in the Acts of Parliament which set up the corporations that no member of the Commons shall sit on the Board. I mentioned that under the 1951 Nigerian Constitution the members of the Eastern corporations would have been disqualified for election to the Assembly but that, through an oversight, they are not so disqualified under the 1954 Constitution, that no mandate for the change was given at the London and Lagos conferences, and that I was proposing to address the Nigerian Governments with a view to having the 1951 position restored. I expressed the hope that in the meantime Zik would feel ready to reduce the number of members of the Eastern House of Assembly (22) who were on the Boards. I was left with the impression that Zik would be willing to co-operate in this so that he would not have to face the prospect of the 22 members having to leave the Boards simultaneously.

7. I then turned to the question of his association with the African Continental Bank. I said there would be the most monumental row in this country if a bank which was set up by our Chief Minister got £1 million from public funds to keep it solvent quite apart from an arrangement whereby the chief Minister would remain perpetual Chairman of the Bank. Although Zik maintained that he was not now connected with the Bank at all he did not deny that the moment he ceased to be Premier he would be able to go straight back to the Bank which he had fed with public funds during his tenure of office. I said that neither I nor my colleagues could possibly tolerate that state of affairs. I suggested that the least he could do would be to drop the provision in regard to his own position as Chairman, and the right to nominate three of the directors; that, moreover, it should be made clear publicly that he had dissociated himself from the Bank. Zik agreed to do that.

8. A long and at times diffuse discussion about the public service followed, Zik doing most of the talking. I began by apologising if he thought I hadn't put his case fairly to the House of Commons earlier this year but went on to express my concern for the Eastern public servants who are similarly unable to reply to charges made in the Eastern House of Assembly, referring in particular to the brutal and unjust attacks by Eyo. I mentioned my belief that there would be a withdrawal from the Eastern public service on the Sudan scale if Zik and his colleagues refused to defend their public service; that whatever improvements I and my colleagues might arrange to secure the position of colonial civil servants would be of no avail without an obvious and sincere change of heart by Eastern Ministers. Zik then recounted events since 1946 to show why he and his colleagues could have no confidence in a number of senior expatriate officers in the Eastern Region. He named five in particular:—

Sir Clement Pleass,
Mr. Briggs (the Attorney-General),
Mr. McKenzie (the Chairman of the Public Service Commission),
Mr. Guise (his own permanent secretary), and a
Mr. Saville (who had recently been Clerk of the Executive Council).

The complaints about the Governor stem from his supposed attitude during the various crises which led up to the last constitutional revision. Some of Zik's colleagues suspect that the Governor encouraged the split in the N.C.N.C. in 1953. Zik and his colleagues believe that the Governor leans too much on the advice of other senior officials (especially Messrs. McKenzie, Briggs and Guise) who were in positions of influence during the 1953 crises and have since been protected and in some cases promoted by him. Zik portrayed his own rise to power as a reluctant campaign to show the Governor and his advisers that Zik and his colleagues did, in fact, truly represent the electorate in the Eastern Region. The complaint against Mr. Briggs (apart from being Attorney-General in 1953) is that he is uncooperative in producing all the legislation which the Eastern Government demand and blames the policy decisions of the Executive Council when faults are found in the legislation. The complaint against Mr. McKenzie (apart from being Civil Secretary in 1953) is that as Chairman of the Public Service Commission he decides things against the advice of the African members of his Commission and gets the Governor to support him. (Zik and his colleagues apparently have no confidence in the other European member of the Public Service Commission, Dr. McLetchie) Zik alleged that he was reluctantly persuaded by the Governor to have Mr. Guise as his permanent secretary. Zik regards him as inefficient and uncooperative. (Zik gave an example of alleged misconduct by Mr. Guise only a week or two ago. The Mayor of Barrow-in-Furness wished to give a dinner for the Premier of Eastern Nigeria during his visit to Barrow. The Mayor's Secretary telephoned to Mr. Guise to say that it would be a formal dinner; Mr. Guise (according to Zik) laughingly said that he was not sure about it being formal as the Premier would attend in pyjamas. The Mayor therefore made it an informal dinner). Mr. Saville, it seemed, was suspected of passing information to the Opposition about the proceedings of Executive Council. Zik maintained that the refusal of his Government to vote expatriation pay for six senior posts earlier this year was due entirely to their lack of confidence in the men whom the Governor proposed to fill the posts. Zik and his colleagues did not regard them as efficient, they thought that their seniority was insufficient reason for giving them senior posts and, moreover, he and his colleagues did not wish to have as their advisers men who had been present during, even if not directly concerned with, the 1953 crisis. He said they knew what had happened in British Guiana but that he and his colleagues were genuinely trying to make their constitution work; they did not think that some European civil servants were.

9. Zik then raised a few unrelated points:—

- (i) He complained about immigration and customs delays in entering some foreign countries, in particular the United States.
- (ii) He asked whether some arrangements could be made for important visitors to this country to be guaranteed rooms in the best hotels.
- (iii) He stressed the importance he attached to having a common electoral system throughout Nigeria at least for Federal elections. He hoped that this would be arranged at the next constitutional conference.

(iv) He expressed his concern about the high proportion of Northerners in the Nigeria regiment. It seems that the uniforms and wages will not attract the Southerner.

(v) He said he would like formal permission to publish the speeches he made at the last constitutional conferences.

I explained the position on (i) and (ii), was non-committal on (iii), promised to look into (iv) and asked him to write to me about (v).

333 DO 35/6541, no 43

15 Nov 1955

[Future of RWAFF]: telegram no 117 from the West African Inter-Territorial Secretariat to Mr Lennox-Boyd on the decision to establish separate commands for the RWAFF

My telegram No. 114 of 7th November.

Following telegram addressed to all Governors was inadvertently not copied to you.

Army Advisory Council.

The following statement was issued at Kaduna on 5th November.

Begins. The second meeting of the Army Advisory Council¹ for West Africa concluded its deliberations on 4th November in Kaduna after a visit to the 3rd Command Workshops, W.A.E.M.E., where a demonstration of vehicle repair and recovery was given. The Council met at the Lugard Assembly Hall under the Chairmanship of the Honourable Abubakar Tafawa Balewa, C.B.E., Member of the House of Representatives, Federal Minister of Transport, the Premier of the Northern Region, Alhaji the Honourable Ahmadu, C.B.E., Sarkin of Sokoto, gave an address of welcome to the delegates. The Chairman made a brief statement during Council's deliberations on the future command structure of the West Africa Land Forces as follows:-

The general constitutional advance which has taken place in West African Territories in recent years has led to the examination of the suitability of the existing system of command for the Royal West African Frontier Force. At present forces of the four West African Territories are commanded by the General Officer Commanding-in-Chief, West Africa Command, who is responsible to the Army Council in the United Kingdom.

(2) The four West African Governments, together with Her Majesty's Government in the United Kingdom, have agreed that Headquarters, West Africa Command, should cease to exist on the 1st July, 1956. From that date the Royal West African Frontier Force will be in three separate commands, for the Gold Coast, for Nigeria and for Sierra Leone and the Gambia respectively, each having its own Commander and staff.

(3) It is not intended that the change in command structure should result in the complete isolation of the forces of the four West African Territories; there are

¹ The Council included delegations (named in the original) from Nigeria, the Gold Coast, Sierra Leone and West Africa Command.

common problems and common needs. It is in the interest of all that such matters as the training and type of equipment of troops in the four West African Territories should not diverge unnecessarily and that West African Governments should keep in contact with each other on technical and policy matters. It is therefore proposed that the Army Advisory Council for West Africa, which was created in 1954, should be kept in being; moreover, West African Governments are now considering what proposals might be made to Her Majesty's Government in the United Kingdom for the appointment of military advisory staff to assist in the co-ordination of West African defence.

(4) On 4th November delegates visited Kujama, 23 miles from Kaduna, to observe a demonstration of the fire power in support of an assault platoon in a company attack. . . .

334 CO 554/1226

23–25 Nov 1955

[Ikpeazu commission]: minutes by M G Smith, T B Williamson, C G Eastwood, Sir T Lloyd and Mr Lennox-Boyd on a letter from C J Mayne to T B Williamson on the progress of the Ikpeazu Commission

Mr. Williamson

3A gives the composition and terms of reference of a Commission set up by the Governor of the Eastern Region on the advice of his Ministers to enquire into bribery and corruption 'in all branches of public life in the Eastern Region of Nigeria' and to consider measures to eradicate it.

2. The Acting Governor has informed us in 4,¹ 5 and 6 that this Commission, under an African barrister, Mr. Ikpeazu, has got under way to some effect; that the Minister of Lands is in trouble; that the Minister of Finance may be in trouble, and that the Ministers as a whole are frightened and trying to curtail the Commission's work. Mr. Mayne has said in paragraph 9 of (5) that he will decline to accept any advice his Ministers may give to curtail the Commission's work or to revoke its appointment. This is very satisfactory so far as it goes but it seems to me that it does not go far enough.

3. Mr. Mayne says in paragraph 12 of (6), that it looks as though the members of the Commission other than the Chairman have already been got at and the Senior Crown Counsel records in paragraph 7 of his resume below (5), that in the presence of the Acting Governor and himself Dr. Okpara, the Minister of Health, openly said that the Ministers would find other means than legal ones of curtailing the Commission. Mr. Mayne also records the view in paragraph 6 of (6) that because the Commissioner of Lands and the Permanent Secretary in the Ministry of Lands have (entirely properly) given evidence before the Commission which is adverse to their Minister their position 'has been rendered virtually untenable'. In the circumstances I suggest that it is hardly sufficient for the Acting Governor negatively to be prepared to refuse to revoke the appointment of the Commission if he is asked to do so. The Secretary of State remains responsible for good government in the Eastern Region

¹ See 331.

and the Governor is his representative there for that purpose. I should, therefore, have thought that the Governor should take active steps to ensure that 'right be done' by supporting the position of the Commission, by warning his Ministers against improper steps publicly or unofficially against it, and by calling on the Minister of Lands to consider his own position rather than conclude that the public officers who have done their duty must be sacrificed.

4. The legal position seems safe enough. Mr. Perrott's minute above records agreement with the advice given by Mr. Adams in the résumé below (5) and we can conclude that the Commission has not exceeded its terms of reference nor acted improperly.

5. Although Mr. Mayne has done well up to a point I confess that it does not seem to me that he has acted in this case with the firmness required. If there is to be any hope at all of our retaining a moral hold over Nigeria or of our keeping over-seas officers in the Eastern Region there can surely be no question of compromising with the situation described in Mr. Mayne's letters. I submit a draft telegram accordingly. This seems to me a matter of great importance and I have assumed that you would wish the Secretary of State to see these papers.

M.G.S.
23.11.55

Mr. Eastwood

I agree throughout with Mr M G Smith.

Sir C Pleass, after seeing (4) & (5) last week—(6) has come in since—asked me to ensure that they were brought to the S. of S.'s notice.

?Telegraph as proposed.

T.B.W.
23.11.55

Sir T. Lloyd

Secretary of State

This is an important matter.

In September Sir Clem Pleass set up a Commission 'to enquire into allegations of bribery and corruption in all branches of public life in the Eastern Region of Nigeria and to make recommendations as to the eradication of such bribery and corruption as they may find' (terms of reference in (3A)). We have, rather curiously, never been informed officially of the setting up of this Commission and I am afraid we took no account of it in the brief for the Secretary of State's talk with Zik.

We now have in the letters from Mr. Mayne at (4), (5) and (6) reports on the progress of the Commission. It appears that they at any rate began by doing their work with enthusiasm though it seems that the enthusiasm of all but the Chairman is now being cooled off. Various Ministers are involved or likely to be involved, particularly the Minister of Lands and Ojike, the Minister of Finance. It occurs to me that the appointment of this Commission, no doubt on the advice of Zik, may well have been Zik's way of getting rid of Ojike, whom he has not the courage to sack himself. However that may be, Ministers (in the absence of Zik) are now getting very much concerned at the Commission's activities and are endeavouring to persuade the members of soft pedal.

I entirely agree with the line taken in the attached draft telegram to strengthen

Mr. Mayne in taking a firm line about this and I hope the telegram can get off soon.

But in addition possibly the Secretary of State might like to see Sir Clem Pleass before he returns to Enugu (I think he leaves on Monday week) and (a) encourage him to take a strong line and (b) give him a message to Zik who by the time that Sir Clem arrives in Enugu will just have arrived there himself. Zik I suppose deserves some credit for the appointment of the Commission and Sir Clem might perhaps tell him that the Secretary of State has been glad to hear of it and urge the Premier to give it all the support he can in its important work.

The activities of this Commission are one of the things about which we shall no doubt have to prime The Queen before she leaves for Nigeria. However we can leave that over for the present.

C.G.E.
24.11.55

I agree & support X.

T.K.L.
24.11.55

I have read all papers & I agree.

A.L.B.
25.11.55

335 CO 554/856, no 4 1 Dec 1955
[Nigerian constitutional conference]: letter from T B Williamson to R F A Grey on the division of powers between the federal and regional governments in the new constitution

In paragraph 4 of our draft memorandum on the meaning of regional self-government, etc.,—on which we are still working in the light *inter alia* of the comments you sent—we said that the question of alterations in the existing division of powers between the Federal and Regional Governments would be dealt with in a separate paper.

2. This letter is intended to get that paper going.

3. Some time ago we here started going through the Legislative Lists (bearing in mind also that some powers, such as external trade and implementation of treaties, are dealt with not in the Lists but in the body of the Order) in order to determine what H.M.G.'s line should be at the next conference if any changes were proposed. But after a certain amount of study we came to the conclusion that we could not really tackle the job at this end. We are too far away to know precisely how the present division of powers has worked out in everyday practice; nor do we know what changes (apart from the police) may be proposed by the various Nigerian representatives (we realise that you may not either, but maybe the Regional Governors have a few clues).

4. We therefore think that the first draft of a Secretary of State's brief on this matter must be done at your end, i.e. that the Governor-General, after consultation

with the Regional Governors, should forward his views to us in the form of a draft memorandum. In other words we suggest reversing the procedure which we have followed with the general memorandum on regional self-government, and we hope this proposal will be acceptable to you.

5. Our thinking at this end has, however, gone a certain way on this, and you and the Regional Governors may find the following points of some help in your own study.

6. In the first place it is becoming increasingly clear to us that the next conference—whenever held—will probably have to be in two parts like the last one—that is, if there is to be a review of the revenue allocation system at that stage. (I am assuming that agreement will not be reached in Nigeria this side of a full conference on the terms of reference and basic premises for the fiscal review mooted in our despatch of the 28th July last). Apart from dealing at the first session with any claims from Regions for regional self-government, and seeking agreement on what regional self-government will mean, we shall have to settle the question of ‘fragmentation’ and also the question of the division of powers between the Federal and Regional Governments, because only when these latter two questions have been determined will it be possible for another ‘Chick’ to take place. The first session of the conference will also have to settle his terms of reference—and that is going to take some doing as the East will want to get away from the principle of derivation and the West will presumably insist on sticking to it. However if agreement, or something like it, were reached on these points, then there might be an interval of six months or more—the longer the better—to enable us to find another ‘Chick’ and to give time for him to produce a report, and for that report to be digested. The conference could then resume in its second session to deal with that report and with other outstanding matters, e.g. a draft scheme for a new constitution (cf. Annex II to the Lagos Conference Report) if the decisions of the first session were clear and complete enough for the legal draftsmen to produce one. (I might add that since this part of this letter was drafted I have seen a copy of Shankland’s secret and personal letter S.40/5 of the 7th November to you, which shows that Mr. Awosika’s thinking on this is not so different from ours).

7. We must therefore be ready to deal with the question of division of powers at a fairly early stage at the next conference. All this is no doubt pretty obvious already.

8. Secondly, we suggest that our general aim on this question should be to maintain the *status quo*, save perhaps for certain improvements which we might try to secure. One or two desirable changes are already becoming obvious: I refer to them later in this letter. In general, however, our feeling here is that the agreements reached at the London and Lagos conferences on the division of powers were pretty good, and that we are unlikely to be able to get anything much better. It is true that we should have preferred to have made no changes in the pre-October 1954 Marketing Board system, but thanks to the Galsworthy Report (Annex IV to the Report of the Lagos Conference) the present position seems to be reasonably satisfactory and anyway we assume that we could not unscramble that particular egg now. Similarly, we imagine that it is politically out of the question at this stage to try to get accepted the provisions about education which we failed to get at Lagos, i.e. a system of Federal grants-in-aid with rights of inspection by Federal inspectors and national standards.

9. Another point on the side of maintaining the *status quo* is the useful provision

in Section 136 of the Constitution Order, which was designed to give flexibility in the practical working of the constitution. You will recall that I referred to this section in the correspondence (of which you have copies) which I had last summer with Sharwood-Smith over Federal trunk roads, which rests with his secret and personal letter (4049) of the 24th August.

10. At this point I should like to deal briefly with the question you raised at the foot of page 1 of your letter commenting on the regional self-government memorandum. We intend to clarify the memorandum to take account of your query, but the short answer is that if we agree to transfer a matter from Federal to Regional competence, then a self-governing Region will be competent in respect of that transferred matter. In other words if, for example, H.M.G. were to agree (which I *don't* think they will) to regionalise the Nigeria police, then a self-governing Region would be self-governing in respect of police.

11. I now come to a few detailed comments on some of the individual items in the Lists. Your draft memorandum need not deal with the police, because we are in separate correspondence about that and the matter is so important and tricky that we shall have to have a separate paper on the subject.

12. Deportation. We are in separate correspondence about this, and as you know we aim to get the present constitution amended so that the Federal Government's exclusive competence in the matter of deportation shall be confined to deportation from Nigeria to any place outside Nigeria and to deportation from one Region, etc. to another. (The Secretary of State's despatch No. 2879 of the 21st November to the Governor-General refers).

13. Immigration into Nigeria. We think this must remain Exclusive, because *inter alia* it would enable the Federal Government to prohibit the entry into Nigeria of Communists or other undesirables whom a Regional Government might wish to appoint to their Public Service. I can foresee a good deal of argument over this if the point were taken but I would think, subject to your views, that it ought to be a sticking point. To make it concurrent might perhaps do in the last resort, but I imagine this would lead to difficulties and friction in practice; and generally I should think the fewer items on the Concurrent List the better.

14. Then there are a number of items dealing with finance, trade and industry, which will require very careful consideration. We are inclined to think—and we have gone into this with some care—that all such items already Exclusive should remain Exclusive. (External trade is Exclusive under section 54 of the Order). Item 37, for example, trade and commerce among the Regions, etc., is intended to prevent the establishment of customs barriers between the Regions—a matter on which we have had separate correspondence in connection with the Eastern Regional Cattle Tax Law. To allow such barriers to spring up would surely be a serious blow to the unity—and the economic development—of the country. Banks and banking (Item 5) must remain Exclusive, particularly having regard to goings on in recent times with the National Bank (1953) and the African and Continental Bank (1955). The other financial items (6, 13 and 17 of the Exclusive List) must also remain Exclusive if Nigeria is to remain a Federation with one currency. We are also satisfied that Exclusive Federal control of external borrowing (Item 7) should remain. On internal borrowing we feel that it would be very desirable, if it were practicable, that Federal Exclusive powers should not be limited as at present to borrowing for Federal or Lagos purposes, but that the Federal Government should also have a say in the

raising of internal loans for the Regions, on the ground that as the scale of internal borrowing increases it will inevitably have external repercussions and may also lead to friction between the various Nigerian Governments. We recognise that it might well be a tricky matter to get agreement to this. But we are looking further into it to see if there is any prospect of preparing a case which the Regions might accept. Possibly it might be best to leave this matter over for the Fiscal Commission.

15. Are the present powers of the Federal Government in the field of taxation wide enough? A point that concerns us here is the competence of Regional Governments to impose produce purchase taxes. In this way it seems that Regional Governments can, and do, invade a main source of Federal revenue (export duties) and you may feel that the Federal Government's revenues will not be inviolate so long as this position obtains. It might also lead to pressure for power to apply customs duties on the products of other Regions. However, it might be very difficult to get the next constitutional conference to reduce Regional powers in this field, and possibly this again is a matter which should be left to the next 'Chick' to pronounce upon if he felt it necessary so to do. On the other hand, as you are aware from the correspondence about Shell, the exclusion of the Regions from any direct share in the proceeds of company tax gives grounds for fears that they may seek to impose other taxes in addition and these fears may well discourage new enterprise: they have been reinforced by the peculiar taxation measures proposed in the Zik/Ojukwu Report. This again seems suitable for consideration by the next Fiscal Commissioner; but we are pursuing this point and will let you have any further views we may form.

16. The foregoing comments are not of course in any way an exhaustive examination of the present division of powers. They are merely some of the ideas that have been mooted here.

17. Maybe we shall not have very much difficulty at the conference over this particular question (except no doubt as regards the police). We gather that the Action Group for their part are fairly content with the present division of powers, and we imagine that the N.C.N.C. will not wish to reduce the powers of the central Government. We hope the North will take a similar line, subject perhaps to their being given powers to deal with *internal* trunk roads—not a sticking point, I think. But an entirely new situation will arise if the North were to revert to their idea of a Central Agency in place of a proper Federal Government. If the Governor-General or the Governor of the Northern Region advise, now or later, that the Central Agency idea may again be proposed, then we should have to ask for carefully considered advice how to handle that situation. One would have thought that the North would have very little to gain and practically everything to lose if there were only a Central Agency instead of a central Government. For example, the powers of H.M.G. to protect the legitimate interests of the North would be greatly reduced because it is difficult to see how the Chairman of a Central Agency could have the full reserved and discretionary powers at present conferred on the Governor-General; and it might well happen that it would be impossible to arrange for British officials with the functions and powers which you, the Attorney-General and the Financial Secretary have at present, to play so important a part in the Government of the country. Moreover the maintenance of the powers of the Federal Government and of federation was the one proviso to the otherwise unconditional promise of regional self-government in 1956.

18. We are, of course, looking into precedents in other Federations and hope to send you the results in due course. But they won't help much: Nigerian problems are

largely *sui generis*. Besides, as you know, the present constitution already owes a good deal to the Indian constitution as regards division of powers—we have to thank Mr. Awolowo for that!

19. I am sending copies of this letter to Sharwood-Smith, Rankine and Pleass.

336 CO 554/1125, no 33

8 Dec 1955

[African Continental Bank]: letter from Mr Lennox-Boyd to Sir C Pleass on his meeting with Dr Azikiwe

When I saw Dr. Azikiwe on 10th November I raised with him the question of his association with the African Continental Bank.¹ I told him that it would be quite unthinkable in this country for a bank which was set up by our chief Minister to receive £1m from public funds to keep it solvent and that there could, of course, be no question of the Chief Minister of the Eastern Region of Nigeria retaining rights to the chairmanship or to nominate directors. Dr. Azikiwe maintained that he was not now connected with the Bank at all but he did not deny that the moment he ceased to be Premier he would be able to go straight back to this Bank which has been fed with public funds during his tenure of office. I told him that neither I nor my colleagues could possibly tolerate that state of affairs. I suggested that the least he could do would be to drop the provisions in regard to his own position as Chairman and the right to nominate three of the directors and that, moreover, it should be made clear, publicly, that he had dissociated himself from the Bank. He agreed to do that. I should be grateful if you would discuss with Dr. Azikiwe, at your earliest convenience, the steps which he proposes to take to honour this undertaking.

At the same time I think it would be desirable to draw Dr. Azikiwe's attention to another arrangement which has, I understand, been made between the African Continental Bank and the Finance Corporation. This is to the effect that the Corporation will 'persuade' its beneficiaries and customers to use the Bank. It is, in my view, reprehensible for a statutory body to exercise pressure of this kind and such an arrangement could only bring discredit to the Corporation and to the Eastern Region Government. Commercial people will not be encouraged to put their money into a country whose Government appears to encourage its statutory bodies so to discriminate in purely commercial matters. In their own interests, therefore, the Eastern Region Government should put this right and should seek to check similar imprudent tendencies wherever Government influence extends.

I should like to be kept informed of developments on both these issues.

¹ See 332.

337 CO 554/904, no 13

19 Dec 1955

[Electoral system]: Nigerian government brief on proposals concerning the electoral system

[Extract]

I—*General*

Attached to this memorandum are schedules showing:—

- (a) the main provision of the regulations governing the conduct of elections to the House of Representatives (Annex I);¹
- (b) a brief summary of the provisions in those regulations which do not have universal application throughout the Federation.

The Regional Houses of Assembly (other than the Southern Cameroons House for which ad hoc arrangements were made) were elected in accordance with regulations drafted under the provisions of the 1951 Constitution. Except in the Western Region, where new regulations governing elections to the House of Assembly and to local government councils have recently been made, the 1951 Regional regulations remain in force, but they no longer reflect the views of any party and are likely to be repealed and replaced before another general election is held. They may therefore be disregarded. It is to be presumed that new regulations governing elections to the Regional legislatures other than the West would follow in the main the regulations existing in each Region for election to the House of Representatives.

2. Paragraph 14 of the Report of the London Conference (Cmd. 8934) established the principle that elections to the Federal legislature should be separate from elections to the Regional legislatures and that there would be no need for uniformity in electoral procedure between the Regions. Unless there is some radical change in the present political situation the probabilities are that the Action Group and the Northern Peoples Congress will wish to maintain that principle and that only the National Council of Nigeria and the Cameroons with Northern Elements Progressive Union and its allies will wish to change it.

II—*Uniform electoral system*

3. The N.C.N.C. will probably demand a uniform electoral system throughout the three Regions and the Southern Cameroons based on direct elections with universal adult suffrage and a secret ballot.

4. The Northern Peoples Congress is likely to adhere to the proposals of the Committee of the Northern Regional Executive Council that was appointed to make recommendations for new electoral regulations in the Northern Region. The ideas of the Action Group are embodied in the recently enacted Parliamentary and Local Government Electoral Regulations, 1955, of the Western Region. While the Western Region Regulations and the recommendations of the Northern Region Committee are fundamentally different, both fall short of universal adult suffrage. In the past the Action Group has been a warm supporter of universal adult suffrage but their views have undergone a change. The reason may well be that they now realise that while there are considerable Ibo elements scattered throughout the Western and Northern Regions there are nothing like the same number of natives of the North and West living in the Eastern Region. It is therefore to be expected that both the Action Group and the N.P.C. will oppose the N.C.N.C. demands. Nor is it likely that either the N.P.C. or the Action Group will attempt to force its own views on the parties of the other Regions: the N.P.C. has never claimed that its views have any application outside the North; the Action Group is at present wooing the N.P.C. and while not entirely content with the Northern electoral system is unlikely to risk antagonizing the North on this issue. The probabilities are that both the N.P.C. and the Action

¹ Annex I and Summary not printed.

Group will urge that each Region should determine its own electoral procedure for Regional elections and that there should be no uniformity between the Regions in the procedure for Federal elections.

5. It is unlikely that any of the Parties will press for a uniform electoral procedure in local government elections. Local government in each of the Regions is regulated by enactments passed by the Parties now in power and since local government is a domestic matter for each Region it is to be presumed that each is now content with what it has got.

6. It may be argued on general grounds that a Region on the threshold of self-government should have universal adult suffrage and direct elections. But against this it may be argued that if a Region is deemed to be competent to govern itself it must also be deemed competent to determine the electoral procedure best suited to its own needs and there can be no justification for forcing upon it an electoral system it does not want.

It is therefore recommended that if the demand for a uniform electoral system is not unanimous, the Secretary of State should oppose it.

III—Qualifications for elected members legislative houses

7. The existing qualifications, laid down in sections 9, 10, 38 and 39 of the Nigeria (Constitution) Order in Council, 1954, are satisfactory and there is unlikely to be a demand for any major change.

Eligibility of women to stand as candidates

8. Women are eligible to stand as candidates in the Eastern and Western Regions and in the Southern Cameroons. The N.C.N.C. may press for women to be given the right to stand for election in the Northern Region, too. This would be regarded by the Muslims as an attack on their religion and would be rigorously opposed by the N.P.C. even to the point of refusing to discuss it. This is a point which, if pressed too hard, might well break up the Conference.

It is recommended that the Secretary of State should firmly oppose this demand.

Eligibility of French Cameroonians to stand as candidates in the Southern Cameroons

9. There may be a demand from the Southern Cameroons that natives of the French Cameroons resident in the Southern Cameroons should be eligible to be elected to the Southern Cameroons House of Assembly and to the House of Representatives. No case is known where persons owing allegiance to a foreign power are eligible for election to the legislature of the country to which they owe no allegiance but in which they reside. Any persons who wish to make themselves eligible are free to do so by the ordinary process of naturalisation.

It is recommended that this demand, if made, should not be acceded to.

Disqualification of persons holding paid positions on Boards of Public Corporations

10. There have been numerous and flagrant instances in the Eastern Region and to a lesser extent in the Western Region, where Party patronage has been exercised by appointing members of the legislature as paid members of the boards of various public corporations, many of which appear to have been created for the purpose of providing 'jobs for the boys'. To curb this practice it has been suggested that a return should be made to the terms of the previous Constitution and that

positions on these boards should be declared to be offices of profit, the holding of which would disqualify a person from being elected or remaining a member of a legislative house. It is likely that this suggestion would be opposed by the N.C.N.C. and probably by the Action Group. The position is complicated by the fact that certain Official Members of the House of Representatives, the Northern Region House of Assembly and the Southern Cameroons House of Assembly are, in their official capacities, unpaid members of public corporations.

It is nevertheless recommended that the attempt should be made to secure agreement that the holding of a paid position on the board of a public corporation should be a disqualification for elected membership of a legislative house.

Residential qualifications for candidates

11. The N.C.N.C. may demand that the three years' residential qualification required of a candidate in the Northern Region by section 9(1)(b)(ii) and section 38(1)(b)(ii) of the Constitution Order in Council be reduced to one year to bring the Northern Region into line with the other Regions. This would be opposed by the North but probably not to the last ditch. This is a distinction which it is difficult to justify, except on the grounds of Northern preference in the matter.

It is recommended that if this point is pressed, an attempt should be made to persuade the North to fall into line with the other Regions.

IV—Qualifications for electors

Female suffrage

12. The N.C.N.C. may press for female suffrage in the Northern Region. The N.P.C. may be expected to oppose this as rigidly as they would oppose any suggestion that women should be eligible to stand as candidates for election, and for the same reasons. Moreover there is as yet no demand for female suffrage in the North.

It is recommended that if this point is raised it should be resisted.

Residential qualifications for electors

13. It is a common qualification in all Regions that voters in Federal elections who are not natives of the electoral area in which they wish to vote should have resided in the electoral area for twelve months, and there is unlikely to be any demand that this should be changed, but regulation 10 of the Western Region Parliamentary and Local Government Electoral Regulations, 1955, which govern elections to the Western House of Assembly, requires that a person who is not a native of the Division in which the constituency is situated shall have a residential qualification of two years, and have paid tax in the Division during that period. The N.C.N.C. have protested against this provision on the grounds that, by increasing the residential qualification from one year to two, it disfranchises a number of persons who were previously qualified to vote. While the Regulations, taken as a whole, widen the franchise this provision will result in depriving certain persons of the vote who would otherwise have had it, especially immigrant Ibo labourers from the Eastern Region. The provision is defended by the Western Regional Government on the grounds that if a person is not a native of the Division in which he wishes to vote he must show that he has more than a passing interest in the affairs of the Division and also a stake in that area. This may be a valid argument in respect of local government

elections, but if a year's residence is sufficient qualification to vote in elections to the House of Representatives it is difficult to see what grounds there are for demanding a longer residential qualification to vote in elections to the House of Assembly.

If the demand is made that the residential qualification for voters in elections to the Western House of Assembly should be reduced to twelve months, it is recommended that it should not be opposed.

Tax qualifications for electors

14. In the Eastern Region there is no tax qualification. Elsewhere payment of tax or local government rates is required before a person is qualified to be an elector. The justification is that anyone who expects the right to vote should have some stake in the country. There is also the practical consideration that the production of a tax receipt is a convenient way of proving residential qualifications and, where elections are indirect without registration it prevents the packing of primary electoral meetings with outsiders. In the Western Region any native of a Division in which the constituency is situate is eligible to be registered as a voter in that Division for elections to the House of Assembly and for local government elections, if he is over the age of 21. If he is under the age of 21 or is not a native of the Division, he may be registered if he has paid tax. The N.C.N.C. may press for the removal of all tax qualifications.

It is recommended that unless there is unanimity on the point any such demand should be opposed.

Enfranchisement of French Cameroonians residing in the Southern Cameroons

15. There may be demands from the Southern Cameroons that natives of the French Cameroons resident in the Southern Cameroons should be enfranchised. There is no justification for enfranchising a particular class of aliens resident in the Southern Cameroons, but in view of its status as a trust territory there is a case for enfranchising all persons permanently resident there, provided they are otherwise qualified. The Administering Authority has stated that it will consider this question in the light of the views of the people of the Southern Cameroons expressed through their representatives in the Southern Cameroons House of Assembly. That House has as yet expressed no views but a Motion has been set down for the next meeting praying that the franchise be extended to all persons who have resided in the Southern Cameroons for a period of five years and paid tax there for that period.

It is recommended that if this Motion is adopted by the House the request should be granted, both in respect of elections to the Southern Cameroons House of Assembly and to the House of Representatives.

16. The demand for the enfranchisement of French Cameroonians arises in part from a desire to counterbalance the voting power of Ibos resident in the Southern Cameroons. If aliens are enfranchised on the foregoing terms, there may be a demand that Nigerians who are not natives of the Southern Cameroons should also be subject to a five years' residential qualification. But the object of enfranchising aliens would be to widen the franchise, while to apply the longer residential qualification to all persons not natives of the Southern Cameroons would restrict it.

It is therefore recommended that any demand that the same residential qualification should be required of Nigerians resident in the Southern Cameroons as is required of aliens resident there should not be conceded. . . .

338 CO 554/1337

18–19 Jan 1956

[Local government]: minutes by M G Smith and T B Williamson on proposals to abolish the office of resident in the Eastern Region*Mr. Williamson*

(1) and (2) set out the course of the present disagreement between the Governor of the Eastern Region and his Ministers over the reorganisation of the Provincial Administration.

2. The rapid transfer of power to African hands that has taken place over the last 5 years in West Africa has made some change in the functions and organisation of the Administration necessary almost everywhere. In the Western Region the change has been an agreed one between the Governor and the Ministers and the Provincial Administration continues to function there with its officers given the title of Advisers, with many of its administrative functions assumed by local bodies, and left with the major task as agents of the Regional Government of helping the still immature local bodies to function smoothly and efficiently.

3. In the East there is no dispute between the Governor and his Ministers that reorganisation is necessary. The dispute is over the nature of the reorganisation. A change in function was contemplated by the Eastern Region Local Government Law 1955. This provided (by Section 17) that the Minister might appoint suitable persons to be Local Government Commissioners to whom he might delegate the majority of his functions. It was anticipated that these Local Government Commissioners would be drawn from the Administration. The Governor (paragraph 8 of (2)) wishes to see the posts of Residents replaced by posts of Senior Local Government Commissioners responsible to the Minister of Internal Affairs for ensuring the smooth working of a number of Local Government areas.

4. The Ministers on the other hand consider that in the comparatively small Eastern Region it is no longer necessary to retain senior administrative officers resident outside the capital. The Ministers would retain the present system of District Officers but they would withdraw into the Ministries at Enugu Residents and Senior District Officers. Supervision of the work of the District Officers would then be done direct from Enugu. Provision for this would be made in the enlarged establishment of the Ministry of Internal Affairs which would have an officer of Staff grade as its Permanent Secretary and under him later, two Deputies of Resident grade as well as a fairly large supporting administrative staff. It would be a primary duty of two of the top three officers in the Ministry to be on constant tour supervising the work of the District Officers and so in effect acting as touring Residents. The formal arguments in favour of this change are set out in paragraph 4 of (2) but the Governor maintains in paragraph 2 that the real reason for the proposed change is that Ministers object to the existence of any authority between the Ministries and the Divisions.

5. The Governor has gone into this question with great care. He describes in paragraph 5 of (2) his discussions on the subject with officers of the Administration and in para. 6 sets out the reasons for his clear disagreement with the Ministers' proposals. Summed up his reasons are that on the basis of past experience the concentration of all authority in the Region at a central headquarters will not succeed and will lead to an increase in the already existing tendencies to disorder and disruption. If there is a likelihood of disorder there must be an experienced officer on

the spot to deal with it and the present youthful generation of district officers mainly lacks this experience. He gives subsidiary reasons involving the morale of the service and some possible diminution in promotion prospects but his main concern is clearly the risk of a breakdown in the Administration and consequent disorder.

6. He has therefore concluded (paragraph 11) that the risk of a breakdown cannot be accepted so long as he holds powers to enable him to ensure good government and that if the Ministers insist on the full reorganisation proposed in the Premier's memorandum behind (1) he will use his reserved powers to overrule them.

7. In paragraph 9 of (2) the Governor raises a separate issue about the posting of Administrative Officers. It appears that to date all postings of Administrative Officers have been made by the Deputy Governor exercising on the Governor's behalf the latter's discretionary power to control the Public Service. The Premier proposes (paragraphs 10 and 11 of Enclosure to (1)) that once the enlarged establishment of the Ministry of Internal Affairs has been created posting of Administrative Officers within the Ministry (this would therefore include District Officers in the field) should be the responsibility of the Ministry itself, as is apparently the case in respect of postings within other Departments. The Governor says that it would be proper for him to resist this as under Section 178(1) of the Constitution Order he is responsible in his discretion for Public Service appointments '(including appointments on promotion and transfer) and to dismiss and to exercise disciplinary control over officers. . . .' His advice is apparently that no postings can be made except by him or as delegated by him as postings come within the phrase 'to exercise disciplinary control'. I have discussed this with Mr. McPetrie¹ who advises that postings do not come within the phrase 'to exercise disciplinary control' but that under the phrase 'appointments . . . on transfer' it would be open to the Governor to refuse to appoint officers at present in the Provincial Administration to the establishment of the Ministry of Internal Affairs, although once they were posted there he could not object to their being sent from one post to another within the Ministry so long of course as the posts were of equivalent rank. It seems therefore that the Governor has not been well advised on this point and we must explain the position to him quickly.

8. The Governor's main proposal to use if necessary his reserved powers to retain the field posts of 'Residents' is a very serious one. Clearly he has weighed his responsibilities with great care and the Secretary of State will no doubt wish to assure him of his support if he ultimately decides to act in this way. His decision mainly rests on his assessment of the internal security situation and this above all is something that can only be determined on the spot. At the same time his decision rests on a very narrow basis. It cannot be suggested—at least publicly—that the views of the Ministers are markedly unreasonable or are not advanced in good faith. The margin of difference between them and the Governor is no more than the difference of judgment whether it is better to have Residents permanently living in the Province or Residents performing much the same functions but performing them on fairly constant tour. The Governor's view is no doubt better founded than the Ministers' but it will appear both in Nigeria and perhaps in Parliament here as no more than an honest difference of opinion on a narrow issue over which, if elected Ministers are to be given a chance to govern, they should have been given a chance to learn by their own mistakes.

¹ J C McPetrie, assistant legal adviser, CO.

9. Furthermore on the advice of the Governor-General and Governors the Secretary of State in October decided that there could be no question of contemplating the withdrawal of the U.K. promise of Regional self-government to those Regions who ask for it at the Constitutional Conference next September. As in effect, therefore, it has already been decided to agree next September that the reserved powers now held by the Governor should be abolished, their exercise over the period intervening between now and the making of a new constitution should, I should have thought, have been restricted to obvious abuses or issues capable of the clearest explanation to the outside world. This does not seem to be the case in the present instance, and it would be a very great pity if Zik were able to use an issue like this to maintain that the present Constitution was a sham, that Ministers were prevented from exercising their proper responsibilities and that because of it he would take no further part in the working of this constitution. This would be in line with a recent fore-cast of the Governor General about how Zik would get out of his present difficulties in the Region. It seems to me much better for the Governor to protest but to wait until the evidence of breakdown is there when either he or the Governor-General could intervene. In Zik we are dealing with a man without moral scruples, and I think we must try to anticipate the tactical advantages he will seek to gain from the move contemplated by the Governor. We do not want to start off in a bad tactical situation next September just because we could not wait a few months longer to let the follies of Zik work themselves out.

10. I would suggest, therefore, that although the Governor should be assured of support if he finally takes the step he contemplates, his attention should also be drawn to the grave difficulties which are likely to be met in explaining his action both in Nigeria and in London and to the tactical risks which are being run.

M.G.S.
18.1.56

Mr. Eastwood

I think there is much shrewd judgment in Mr. M.G. Smith's minute.

Personally I have no doubt at all that Sir Clem Pleass is right in his assessment of the risks involved in Zik's proposals. I find most of his arguments convincing, especially those in paragraphs 6(a), (b), (c) and 8. There is a world of difference between living in a place, and visiting it even on frequent tours. To remove the Residents (by whatever name called) to Enugu might well be the first major step towards administrative breakdown in the Region because, as the Governor has said in the past, the first signs of 'chaos' would be that the Regional Government's writ would cease to run in the Provinces.

If, therefore, this were only a straight issue of good government I would advise that the Governor should be promised full support if he decides to use his reserved powers.

But as Mr. M.G. Smith points out, this may give Zik just the opportunity he wants to pick a quarrel with the Governor, and resign, in which event the probability is that no Government could be formed in the East, or carried on by consent. (Sir James Robertson's forecast, in his letter of the 30th November last at 81 on WAF. 103/352/01, was in these words: 'If my experience of Egyptian politicians is anything to go by I would guess that Dr. Azikiwe would now work up a crisis with the

Governor of the East to distract attention from his party's plight and to rally the ranks; but Nigeria may be a bit different.')

It would be easy for Zik in such circumstances and with his dishonest but still powerful demagoguery to make a fine case for himself and, to some extent at least, to re-capture his position as the leading Nigerian nationalist fighting to throw off the yoke of 'imperialism' with 'self-government now' as his catch-word.

I think that would be contrary both to our short and long-term interests.

Zik is a menace in office but at this juncture, i.e. between now and the Conference, he would be incalculably more dangerous out of office if he went in circumstances more or less of his own choosing.

Given the promise of full regional self-government in '1956' which the Governor-General and Governors advised we must not go back on, and given Zik's recent public declaration that immediate self-government for Nigeria *as a whole* will be his prime demand at the Constitutional Conference, I suggest that our aim over the next nine months should be to give him no occasion to resign if we can possibly avoid doing so. (This is not to say, of course, that there may not be occasions when, e.g. to protect the Public Service, the Governor might not have to use his powers).

One of the best answers which the Secretary of State will have in September to Zik's demand for independence for the whole of Nigeria will be Zik's own record in office; and it may be—as some of us have thought more than once in the last two or three years—that the only real hope of saving Nigeria, or large parts of it, from chaos after self-government, is for something like chaos to come, manifestly, while we still have the power constitutionally, and the men, to remedy the situation.

I suggest that these considerations should be put to the Governor in the most friendly way, and in such terms as should not shake his self-confidence, and that the letter should be repeated to the Governor-General.

At the same time I think we might write a covering private letter to Sir James Robertson (*not* repeated to Sir C. Pleass) saying that we hope that he will not hesitate to discuss the position with Sir Clem as the questions at stake are wider than those affecting the Eastern Region and we would value his advice on them. We might add that, although it may appear to be so, we do not think the line we are now taking is really inconsistent in present circumstances with what has been said in recent private correspondence about possible lack of firmness at Enugu, especially if there is to be no change there for some little time.

T.B.W.
19.1.56

339 CO 554/935, no 27

26 Jan 1956

[Regional self-government]: despatch no 23 from Sir J Rankine to Mr Lennox-Boyd on a motion for self-government for the Western Region. *Enclosure*

I have the honour to transmit a copy of a motion which was adopted by the House of Assembly on the 12th of December, 1955, and by the House of Chiefs on the 19th of December, praying that in 1956 the Western Region be granted full self-government in respect of all matters within its competence.

2. I attach also a copy of a Sessional Paper entitled 'Self-Government for the Western Region', which was at the same time laid on the Tables of both Houses of the Legislature outlining the constitutional changes which it is considered the grant of full self-government in the Region will involve, and which the Western Region Government proposes to seek.¹

3. Copies of this dispatch and of the enclosure are endorsed to the Governor-General of the Federation and to the Governors of the Northern and Eastern Regions for information.

Enclosure to 339

'That WHEREAS at the Conference on the Nigerian Constitution held in London in 1953 a declaration of policy was made by the Secretary of State for the Colonies that Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Government did not act so as to impede or prejudice the exercise by the Federal government of the functions assigned to it now, or as amended by agreement in future, or in any way make the continuance of federation impossible:

NOW THEREFORE BE IT RESOLVED that an address be presented by the Government of the Region to Her Majesty praying that in 1956² the Western Region be granted full self-government in respect of all matters within the competence of the Regional Government.'

¹ Not printed.

² See 330. The original proposal submitted by Awolowo referred to regional self-government from 1 Jan 1956.

340 CO 554/935, no 44 3 Mar 1956 **[Regional self-government]: despatch no 93 from Mr Lennox-Boyd to Sir J Rankine on his unwillingness to consider regional self-government before the constitutional conference**

I have the honour to acknowledge the receipt of your secret despatch No. 30 of the 6th February referring to the Regional Government's Sessional Paper on 'Self-Government for the Western Region'. As I have informed you in a separate open despatch I have been glad to receive this paper which my advisers are studying.

2. I welcome very warmly the chance of meeting the Premier¹ when he is here in a fortnight's time and look forward to hearing his views. But I cannot undertake to hold constitutional discussions with him, and still less to enter into an agreement with him, in advance of the Constitutional Conference to be held next September, on the form that regional self-government in the West should take. Detailed implementation of the United Kingdom Government's promise of regional self-

¹ ie Chief Awolowo. Awolowo met Lennox-Boyd at the CO later in March to discuss further the issue of self-government for the Western Region.

government is a matter which affects the whole of Nigeria, and so can be considered only at the fully representative conference contemplated in paragraph 27 of the London Conference Report. Questions such as the means of giving effect to the proviso to paragraph 28 of that Report and the need for a further fiscal review which are due to be considered at this Conference are bound to affect the scope of regional self-government.

3. It may be agreed at, or following, the Conference that separate constitutional instruments for a self-governing region would be appropriate and convenient. But that point, which is one of some complexity, could not be decided in advance of the Conference and in any case such questions as the form and content of any separate constitution would depend to a large extent upon decisions taken by the Conference on points of substance.

4. The time taken to draft fresh constitutional instruments after the Conference must depend in part at least on the nature of the decisions which it reaches. They will be completed as speedily as possible and I could not regard time inevitably required after the Conference for drafting as 'delay . . . contrary to the undertaking . . . that Her Majesty's Government would grant full self-government to any of the Regions which desired it in 1956'.

5. I fully appreciate the Regional Government's sense of the urgency of achieving self-government and I am sorry that it is not possible for me to agree to exactly the procedure which they propose. It is of course always open to them to arrange for a draft scheme to be prepared embodying their proposals on the lines of the scheme submitted to the Lagos Conference and contained in Annex II to the Report of that Conference. It is possible that such a scheme might prove useful in September.

341 CO 554/861, no 21

5 Mar 1956

[Regional self-government]: letter from Sir R Grey to T B Williamson
on the implications of regional self-government for the judicial
system [Extract]

Arising out of the vastly complicated Adaptation Order relating to the new judicial system (Legal Notice No. 47 published in the Official Gazette of the Federation No. 21 of the 12th of May, 1955) we in Lagos turned our minds to what we may have to face at the forthcoming Conference in the way of demands for further alteration in the judicial system and we had the views of Sharwood-Smith, Shankland and Mayne. The papers were then rather left to moulder but it is probably worth letting you know such views as we formed.

So far as we know, there have been no suggestions by any of the politicians for any alteration in the system that has just been set up but this may be because they have so far given no thought to the matter. Shankland thought the West's concern with Law Revision (for which Verity was appointed) indicated that they were not contemplating major changes in the judicial system. To a large extent any changes in the judicial system will depend on political changes, and as we can not yet guess with any assurance what these will be, the possible demands, or need, for further changes in the judicial system lie still very much in the realms of speculation.

Among the demands we may have to face are:—

(i) that a Region granted self-government should have its own appeal court in place of the Federal Supreme Court;

We feel that this should be inflexibly opposed, for obvious reasons. It is no diminution of self-government for appeals to lie to a court over which the state has no direct control.

(ii) that appeals from the High Court of the Region should lie direct to Her Majesty in Council;

Such a demand might conceivably come from the North, if the West and East got self-government. We do not think that such a demand is likely to be made, but if it is, we feel it should be strongly opposed.

(iii) that the jurisdiction of the Federal Supreme Court to hear appeals from the decisions given by the High Court of a Region in its original jurisdiction should, except in matters outside the legislative competence of the Region, be determined by Regional legislation (and not, as now, by Federal legislation).

To resist this may appear illogical in relation to a Region which is being granted self-government. We feel the attempt should be made but that we should not fight to the last ditch.

(iv) that there should be some additions to, or deletions from, the list of matters now within the exclusive original jurisdiction of the Federal Supreme Court.

Any such demands would have to be judged on their merits, but constitutional questions and disputes between Regions should be retained.

We doubt if much in the way of change is likely to be proposed in respect of the High Courts now in existence, since their establishment and, to a large extent, their jurisdiction are already matters for Regional legislation. But a self-governing Region may want alterations in the qualifications of judges (as now prescribed in section 142 of the Constitution Order) or, as we have already been forewarned in the case of the West, in the mode of appointing judges. Such proposals could hardly be resisted in the end. But the jurisdiction of Regional courts in respect of offences against Federal law, and the civil jurisdiction of those courts in respect of exclusively Federal subjects must remain matters for the Federal legislature.

Whether a demand for separate 'states' would carry with it a demand for a separate High Court for each 'state' remains to be seen. If we come to this unhappy pass, then I think we should have to press very hard indeed for some system of sharing courts and judges. What that system would be would depend on the pattern of 'states' that emerges and there is little point in trying to work out hypothetical systems at this stage.

One thing that is clear is that if there is any further substantial alteration of our judicial system, there will be a very real risk of the whole thing breaking down. The changes agreed on at the last Conference have hardly had time to take effect, and as a result the laws are now in such a state of amendment as almost to defy the wit of man to determine what the law is on any given point. We feel that not only in respect of the judicial system but in the consideration of any proposals for constitutional changes full weight should be given to the effect on our statute book and on the difficulties of the public in coping with rapidly succeeding changes. My object in

writing at this stage is to place on record the fact that these problems exist, rather than to suggest the solutions. . . .

342 CO 554/862, no 11E

23 Mar 1956

[Public service]: letter from Sir J Rankine to Sir R Grey on the safeguards for the public service to be considered at the constitutional conference

We have discussed with Maurice Smith the draft brief on the Public Services forwarded with Williamson's Secret and Personal letter No. WAF 16/3/024 and WAF 16/3/023 of the 14th March. We agree generally with the terms of the brief, subject to the following comments and in particular to the point made in the next paragraph, which we regard as of being of vital importance.

Paragraph 1 (a) of the brief reaffirms the necessity for the constitution itself to make 'detailed provision for maintaining the independence of the Public Services' and some admirable safeguards are set out in the scheme that follows. There is, however, one loophole which seems to leave the way clear for a politician to set all these safeguards at naught. No check is provided against the abolition by the legislature of an occupied post, and it would therefore be possible, for example, for a Minister to use the party majority in the legislature to secure the removal of an officer, of whom he wished to be rid, by abolishing his post in the estimates. We are sure that there is a very real danger that advantage might be taken of this loophole unless the constitution provides some safeguard against it. In this connection we are thinking not so much of the oversea officer, whom we hope will be protected by the scheme for H.M.O.C.S., but of the indigenous member of a regional service. If there were a change of Government in this Region, it is not difficult to imagine what might be the fate of some of our senior African officers who have, rightly or wrongly, become identified with a particular party in the eyes of certain members of the Opposition.

First thoughts, in discussion with Smith, were that this might be rectified by providing in the constitution that on the abolition of an occupied post compensation would be payable to the officer displaced. Although this would not close the loophole it would discourage the use of it, if the formula for compensation were made sufficiently generous, and costly to the Government. It would be necessary for the terms of the formula to be included in the constitution. (We appreciate that local legislation already contains provision for abolition of office, but this could be repealed by the legislature and a further safeguard is therefore required.)

We considered, as a possible alternative check, the retention in the constitution of the Governor's reserved powers to prevent further proceedings on a Bill or Motion relating to the Public Service. This would effectively close the loophole, but we came reluctantly to the conclusion that it would not consort with the intention to grant Regional Self-government. It is worthwhile recording here that the Action Group has itself put forward proposals for the retention of the Governor's reserved powers for certain specific purposes and it appears likely therefore that they would not object in principle to the retention of reserved powers.

The only other points on which we would like to comment meanwhile are:—

(a) Paragraph 5 (b) of the brief

We think that the term 'corresponding or higher posts' requires more precise definition. In this Region at least some Heads of Departments are on lower and some on higher salaries than Permanent Secretaries. In order to avoid endless argument with Ministers on the question of interpretation, it is suggested that the phrase be changed to 'Head of Department and corresponding posts'. This point was mentioned to Maurice Smith who undertook to look at it again.

(b) Paragraph 5(d) of the brief

We very strongly support the suggestion that interference or attempted interference with the P.S.C. should be a criminal offence. We would go further than this, and advocate that the section should be so framed that not only the party who interferes or attempts to interfere is guilty of a criminal offence but also any member of the Commission who compounds or is a party to such interference.

We are sending our comments on the draft brief on the Judicial Service Commission under separate cover.

Copies of this letter are being sent to Sharwood-Smith, Pleass and Williamson.

343 CO 554/862, no 12E

29 Mar 1956

[Public service]: note by Sir C Pleass giving his views on the safeguards for the public service under regional self-government

[Extract]

1. I agree in the main with the proposals made and with the arguments adduced in favour of those proposals.¹ Both are of course sound, and I think it probable that both will be publicly accepted by the representatives from this Region at the Conference.

2. I have equally no doubt that representatives from the N.C.N.C. at the Conference will have no intention of adhering to their undertaking in this matter, and will in fact pay no more attention to it than they can be compelled to do. The best definition of wisdom that I have heard is that it is the ability to benefit from experience. A perfectly clear statement was made by the political leaders of Nigeria at the Conference at Lagos and included in that statement are such phrases as follows:—

'We hope that the traditional principle of promotion according to qualifications, experience, merit, without regard to race will be maintained.'

During the last two years Ministers have brought all the pressure to bear upon me which they could to make me act contrary to this principle, and I know, although of course I could not prove it, that great pressure has been brought to bear upon African members of the Public Service Commission. I repeat what I have said before—the N.C.N.C. are absolutely determined to control the Civil Service. I agree that H.M.G. can do no more than seek to have included in the Constitutional

¹ Pleass was responding to a CO document entitled 'The public services in Nigeria under a constitution conferring self-government on one or more regions' that had been forwarded by Williamson for comment. See also 346.

Instrument the proposals which are set out in this paper. I agree moreover with the statement in paragraph 3:—

‘But it would be needlessly cynical to assume that public opinion in Nigeria will indefinitely condone political jobbery.’

But ‘indefinitely’ is a very long period, and I myself believe that it will be a long time before public opinion in this Region of Nigeria ceases to condone political jobbery. All I would ask is that in pressing these proposals which I entirely agree H.M.G. must press, the representatives of H.M.G. should be under no delusion and should not regard acceptance of these proposals by the representatives from this Region at the Conference as a justification for delaying the payment of lump-sum compensation in respect of his loss of career to any officer who wishes to leave the Service. In discussing this point a favourable opportunity may arise for the Secretary of State to suggest that as an inducement to persuade expatriate civil servants to stay on for a few years, the lump-sum compensation might be frozen so that if say an officer was entitled to eight thousand pounds at the time he first became eligible for lump-sum compensation, he would still be entitled to draw that same sum in three years’ time if he agreed to stay for three years. I feel I must point out the importance which Ministers attach to the appointment of individuals who are members of their particular tribe; no Ibo will trust an Efik or Ibibio and no Efik or Ibibio will trust an Ibo. In this connection it is interesting to note that the Premier did all he could to secure the amalgamation of the posts of Director of Recruitment and Training and Secretary, Public Service Commission, because an Ibo held the former post and he was anxious that an Ibo should hold the latter. In addition there is a tendency for them to argue that all Boards and Commissions should contain one representative from each Province without regard to the capability of the individual concerned. . . .

344 CO 554/861, no 26

9 Apr 1956

[Judicial system]: letter (reply) from T B Williamson to Sir R Grey on proposals for the constitutional conference concerning alterations to the judicial system

Thank you for your secret and personal letter (No. 280/15) of the 5th March about proposals which may be made at the Constitutional Conference for alterations in the judicial system.¹ This letter reached us when we were just completing the first draft of our brief on the Judiciary etc., which I sent to you with my letter of the 14th March, and you will now have had a chance to study that paper.

2. In view of that draft brief, I will not comment further on the second paragraph on page 2 of your letter. You will be commenting on the brief itself. But the rest of your letter deals with matters which are not touched on in our first draft, i.e. the structure of the judicial system and the sphere of jurisdiction of the various Courts. I think the final brief on the Judiciary will have to deal with these points, and I hope

¹ See 341.

you will suggest concise additions to the draft to cover them. In this letter, therefore, I am sending you our comments on them; and perhaps the Regional Governors, to whom I am sending copies of this letter, would as soon as possible send you their further views to enable you to deal in the way I have proposed with these aspects of the subject when you send us the Governor-General's comments on our draft paper.

3. We have the following comments on the four possible demands which you discuss on the first two pages of your letter:—

(i) and (ii) We agree that these should be strongly opposed. Fissiparous proposals of this nature can only militate against the efficiency of the Courts.

(iii) We are a little surprised to learn that there is a possibility that this proposal will be raised by the Action Group at this year's Conference, since at the London and Lagos Conferences the N.P.C. was alone in favouring the proposal you mentioned in face of the opposition of all the other delegations. The references in the records of the London and Lagos Conferences are, or at least include, the following:—

London Conference

Minutes of the Committee on the Administration of Justice: N.C. (A.J.) (53) 1st Meeting (13th August) and 2nd Meeting (14th August). Minutes of the plenary meetings: N.C. (53) 15th Meeting (14th August) Item 4 and N.C. (55) 16th Meeting (17th August) Item 1.

Lagos Conference

Minutes of plenary meetings: N.C. (54) 5th Meeting (25th January) Item 4. and N.C. (54) 6th meeting (26th January) Item 1.

The reason for the N.P.C. attitude, as they made clear, was their fear for Muslim Law and their opinion that the Federal Supreme Court had not the knowledge required to try cases involving Muslim Law. The rest of the delegates, I think, took up the position that it was logical and right for the Federal Legislature to determine the right of appeal to the Federal Supreme Court and even argued that to deny the possibility of such appeal was an infringement of the rights of the citizen. Awolowo is recorded in the minutes as having said that 'the N.P.C.'s proposals, however, contravened a fundamental right so that citizens of Nigeria would have fewer rights than they had at the moment. It should be reserved to the Central Legislature to lay down the rules of procedure of appeal to the Supreme Court and to specify the matters in respect of which appeals lay.'

The only grounds on which a complete reversal of this position could be justified would be that Regional self-government completely changed the basis of their earlier argument. It seems to us most necessary to resist arguments of this sort, and to maintain consistently that Regional self-government does not necessarily mean any increase in the sphere of competence of the Regional Governments (see, for example, paragraph 4 of our brief on the Meaning of Regional Self-Government, Second Draft). We do not therefore think that it would necessarily be 'illogical' to resist the proposal you mention and we think that on the basis of what was said at London and Lagos we should not have much difficulty in doing so. Whether it should be a 'last ditch point' I'm not sure; but I feel fairly certain that we should in any event retain the right of appeal in capital cases to the Federal Supreme Court (section 148 of the Constitution Order). You will remember how hard—and successfully—Lord Chandos negotiated for this at the

Lagos Conference, urging that any person on a capital charge should have a right of appeal to the highest court in the land.

(iv) As you say, such demands would have to be judged on their merits. We agree that constitutional questions and disputes between Regions should be retained.

4. We agree entirely with what you say about new Courts for possible separate 'States'. But we are not going to agree to more States, are we? (We hope to get down to a draft brief on this shortly, and will send it to you).

5. In short, we quite agree that our efforts must be directed towards preventing any substantial alteration in the present system and judging from your letter and Pleass' letter to you of the 9th March (No. A.144/8/III/39) there is reason to hope that we shall be successful. As you have said more than once in the past, and as we all agree, any more major changes in the structure of government etc. would be the final straw, and lead to breakdown of the machine.

345 CO 554/1159, no 14

9 April 1956

[Royal tour]: despatch no 17 from Sir J Robertson to Mr Lennox-Boyd reporting on the Queen's visit to Nigeria

[Extract]

[On 28 Jan 1956 the Queen and the Duke of Edinburgh began a tour of Nigeria that lasted approximately three weeks and in the course of which they visited all three regions and Lagos. For a more considered assessment by Robertson of the impact of the visit, see 363.]

I have the honour to refer to your secret and personal telegram No. 43 of the 21st of February in which you asked for a brief report on The Queen's Visit to Nigeria, for circulation to your colleagues and to posts abroad.

2. It is now possible to see the Visit in perspective and I am happy to say that the weeks which have passed since the departure of Her Majesty have seen no diminution of the enthusiasm which the Visit evoked. Such few discordant notes as there have been have come from individuals who consider, in retrospect, that they might have made more use of their appearance in the limelight.

3. There is no doubt that the Visit was a personal triumph for The Queen and The Duke of Edinburgh: in the face of their charm and sincerity all the petty annoyances and irritations of the preparatory period were swept into the limbo and Nigeria readily gave herself over to making the most of these three momentous weeks. Some few prominent Nigerians were much concerned about their own part in the proceedings but the vast majority were proud and happy to devote all their energies to acclaiming their Queen and enjoying to the full all the public occasions in which they could have a share however small. . . .

20. Before dinner on Wednesday, 15th February, Her Majesty received M. Biros, Governor of Dahomey, representing the High Commissioner at Dakar and the French Government. After dinner the Queen broadcast a farewell message to the Federation. Her Majesty's hope that the common welcome She had been accorded would help Nigerians to feel a greater unity among themselves underlined the most significant aim of the whole visit. Next morning The Queen and The Duke of Edinburgh drove through the packed streets of Lagos to the airport, where the official farewells were taken. The Royal plane halted at Kano, however, for several hours and The Queen

drove around that ancient town which was thronged by over half a million cheering people, all gaily dressed and thousands of them mounted. In the course of a visit to the Emir of Kano's residence, Her Majesty met local councillors and saw something of the campaign against illiteracy which is being waged throughout the Northern Region. The plane finally left Nigeria at 8.00 p.m. at the end of a most memorable tour.

21. To sum up, Her Majesty and His Royal Highness won the admiration and affection of all, from the highest to the lowest. The colourful pageantry together with the gay decorations in the town took Nigerians out of themselves for a period and certainly brought out the best in them. They may even have been a little surprised at the exemplary behaviour of which they found themselves capable when assembled in dense crowds for quite long periods. Opportunities were seized for acknowledging Nigeria's debt to Britain, her loyalty to the throne, and her ready acceptance of British ideas of parliamentary democracy. One of the most important and striking consequences of the Royal Visit was the opportunity which the great Durbar at Kaduna gave to people of each of the twelve Provinces of the great Northern Region to learn something of one another's ways. The Governor has specially drawn my attention to this and it is clear from reports he has received that there were many from all levels of local society who were enabled to see, for the first time, something of their fellow-Nigerians. For many of them (as for many of the Southern Cameroons party who travelled to Lagos) it was their first journey far away from their own homes and although for many of them it must have been arduous indeed, all seem to have carried back to their Provinces the happiest accounts of the great world beyond their borders, of the diversified wonder of their own country and, above all, of the charm and dignity and yet the friendliness and sympathetic interest of The Queen. This knitting together of the hearts of peoples within Nigeria can not but be helpful to her progress. In the more sophisticated areas I believe that a feeling of being a part of the Commonwealth has permeated a large section of the population and that subconsciously they are further along the road to unity: the fact that it was Nigeria that was put on the map, and not merely individual regions, cannot but have helped to foster the idea of unity within the Commonwealth.

346 CO 554/862, no 13

11 Apr 1956

[Public service]: letter from Sir R Grey to T B Williamson on the draft brief on the public service for the constitutional conference

When Maurice Smith was here we discussed with him the draft brief on 'The Public Services in Nigeria under a Constitution conferring self-government on one or more Regions' which you sent with your Secret and Personal letter of March 14th. Sharwood-Smith had said he agreed with the drafts and had no comments; we had received Rankine's Secret and Personal letter to me No. S.40/7 of March 23rd,¹ which he copied to you; but we had not had Pleass's letter A. 114/8/III/116 of March 29th, which has now come in.² We had obtained the views of Buchanan as Chairman of the Federal Public Service Commission; and Gardner-Brown, Guise (who is to act for

¹ See 342.

² See 343.

him) and Stallard (who is to act for Newns) took part in the discussion.³ The Governor-General has not expressed his personal views on the brief as yet, but it may be as well if I try to set out in this letter such comments as have been made here and all that will then be necessary will be for Sir James to add his own views on his return from tour.

2. We suggest that in the last line on page 1 of the brief there be inserted after 'Regional public services' the words:—

'of Regions which ask for and are given self-government).'

3. Midway through paragraph three it is said:—

'But it would be needlessly cynical to assume that public opinion in Nigeria will indefinitely condone political jobbery.'

We had intended to say that although 'indefinitely' may be right, the cold hard fact is that there is little chance over the next two or three years of any effective public opinion limiting political jobbery. But our views are much strengthened, so far as the Eastern Region is concerned, by paragraph 2 of Pleass's paper. He says that the N.C.N.C. are absolutely determined to control the public service, that no matter what undertakings the representatives of that party may give, they will pay no more attention to the principle of promotion according to qualifications, experience and merit than they can be compelled to do, and that H.M.G. should be under no delusion that if the proposals in the brief are accepted there will be adequate protection for members of the Public Service. He argues that acceptance should not be regarded 'as a justification for delaying the payment of lump-sum compensation'. In paragraph 8 of his paper he says, with reference to paragraph 7 of the brief:—

'It is essential in my opinion that as soon as the Governor loses any of the powers which he now possesses an officer should be permitted to retire with full compensation for loss of career.'

These are forcefully expressed opinions, but we understood from Maurice Smith that there is in fact no difference of opinion between you and the Governor of the Eastern Region about what is needed in order to found an entitlement to lump-sum compensation.

4. We note from the words in brackets at the end of paragraph 7 that a separate paper on compensation arrangements will be prepared later. But it is worth saying a word or two about the need to consider the tactics of this matter. Carlyle⁴ has pointed out to me that each of the Governments in the Federation seems to be committing to its Economic Programme over the next four years all its available resources. If there is any substantial claim for lump-sum compensation (and the indications are that there will be a very large claim in the Eastern Region—and possibly a large claim in the Western Region as well), then it can be met only by sacrificing some cherished plans of economic development. For simple honesty's sake, as well as for the need to safeguard the rights of serving officers, the Secretary

³ J K Buchanan, director of audit, Nigeria, 1950 (retired), re-appointed Federal Public Service Commission, 1954; A G H Gardner-Brown, deputy chief secretary, Federation of Nigeria, 1955; C A L Guise, principal ass. sec, Federation of Nigeria, 1956; Lt-Col. PHG Stallard, administrative officer, Nigeria, 1956.

⁴ G G Carlyle, deputy financial secretary, Nigeria, 1955.

of State must leave all delegations in no doubt at all that 'self-government' must be preceded by agreement to a scheme of lump-sum compensation which will come into force so soon as the changes in the Constitution have effect. The Secretary of State will have to avoid giving the impression that he is trying to postpone self-government by showing how high the bill will be; but even if he is successful in this, there will be a tendency on the part of the Regions to try to minimize the cost and the easiest way of doing that, they will think, will be to beat H.M.G. down on the maximum sum that must be paid to officers entitled to claim for loss of career. The handling of this will be a very tough tactical problem. I can carry the matter no farther now; but we shall have to return to it soon, when considering the paper on compensation arrangements.

5. Pleass remarks on the possibility of a favourable opportunity for the Secretary of State to suggest that as an inducement to persuade expatriate officers to stay on for a few years, there should be an arrangement under which officers may 'freeze' their compensation for (say) three years. We all strongly support this suggestion. (Is not the Gold Coast settlement a precedent for 'freezing' over four years?). This would have the further advantage of tending to spread the compensation claims over a longer period, thus making them less destructive of other plans and less likely to arouse bitter opposition to a reasonable maximum.

6. In paragraph 21 of my Secret and Personal letter G. 285/218, of April 7th, on the brief on the Meaning of Regional Self-government, I have mentioned Rankine's point about the need to give the Governor power to provide against the abolition by the Legislature of a single post in order to get rid of an officer who had incurred the Government's displeasure. (His letter to me No. S. 40/7 of March 23rd, refers.) Pleass says that he agrees entirely with this view and says that Nigerian officers in the Eastern Region have expressed their fears, which he is sure are well-founded, about what may happen in the future. We discussed this with Maurice Smith. We did not conclude that 'it would not consort with the intention to grant Regional self-government' (as Rankine has said) if the Governor were given some powers (not necessarily those under the present Constitution) to prevent further proceedings on a Bill or Motion relating to the Public Service. If, as he says, his Ministers did not object to such a proposal, the fact that they subjected themselves to a self-denying ordinance in relation to the Public Service would not detract from the essential fact of their self-government. But we thought that there might be difficulty in delimiting the powers and still providing for legitimate retrenchment in time of genuine financial stringency or upon posts becoming really redundant. We therefore concluded that the best arrangement would be [sic: to] write into the constitution provision for compensation. This, as Rankine says, would discourage improper abolitions if the compensation were sufficiently generous.

7. With regard to paragraph 4 (d) and paragraph 5(a), Pleass says that so long as Ministers have the power of the purse, the control over the Public Service will inevitably pass to them whatever arrangements for transfer H.M.G. purports to make. A Government would have to be bold, indeed, in its evil-doing if it were to stultify the Public Service Commission by declining to vote supply for its clerks and running expenses, as he suggests at the top of his third page; but, even if this is probable, there is no other course than that which is proposed in paragraph five of the brief and we all agree generally with it.

8. We must make the point, however, that it is a counsel of perfection (at least so

far as the Federation is concerned—although I appreciate that we are not asked to deal with that problem at this stage) to say that ‘Members (of the Public Service Commission) might not concurrently hold any other office of profit under the Crown or be members of a Legislative House and should be ineligible for appointment, or further appointment, as public officers.’ The phrase ‘office of profit under the Crown’ has recently been so widely construed in the United Kingdom that we suggest it is not suitable here; but even if a narrower phrase is used, we doubt if it will be possible to find sufficient men in whom the public and the Service can have confidence if this counsel of perfection is followed. Would it not be wise to say that this is the aim that should be achieved if possible but that in exceptional circumstances holders of public office might serve as honorary, part-time members of the Commission?

9. We recommend that there be added after the words ‘Police Service Commission’ in the fifth line of paragraph 5(b) the words ‘and of the Governor’s personal staff’.

10. We support Rankine’s request that there should be substituted for the phrase ‘appointments to posts of Permanent Secretary and to corresponding or higher posts’ in the last sentence on page five, the phrase:—

‘Appointments to posts of Permanent Secretary and Head of Department and to corresponding posts.’

11. Pleass says that his Ministers will not accept the proposal in paragraph five (b) unless they are sure that they can pack the Public Service Commission. We suggest that the Secretary of State should regard this proposal as a sticking-point whether Eastern Ministers agree or not.

12. We agreed in discussion with Maurice Smith to recommend that the appointment to posts of Permanent Secretary, etc., should be by the Governor acting in his discretion after consultation with the Prime Minister and after obtaining the advice of the Public Service Commission. Our view is reinforced by Pleass, who says that direct consultation between the Premier and the Public Service Commission would give a chance for improper pressure to be brought to bear on the Public Service Commission.

13. Pleass says, with regard to the proposal that the Public Service Commission should be required to publish an annual report:—

‘... do not let anyone think that the African members of the Public Service Commission within the next three or four years will be prepared to publish an annual report in which they draw the attention of the public to the political jobbery practised by Ministers; they won’t.’

Nevertheless, it is a step on the right road; they should be required to publish a report.

14. Rankine strongly supports the proposal in paragraph 5(d) that interference or attempted interference with the Public Service Commission should be a criminal offence and he asks that any member of the Commission who compounds or is a party to such interference should be expressed to be guilty of an offence. We agree.

15. With regard to the last two sentences of paragraph 6, my own view has always been that the changes made in 1954 warranted the extension to the North of the right to retire with an additional allowance; and I think there will be unhappiness if it is not extended next time whether or not the posts of Civil Secretary and Financial Secretary are abolished. Having been told by the Civil Servants’ Association here that it obviously makes little difference that I am in Council to put their case (my reward

for Gorsuch strivings!) I at least know how the Service feel, even though their feelings may not, as Ambler Thomas pointed out here in 1953 be logical.

16. We all agree with the proposals about Audit, although Pleass doubts that his Ministers will accept the proposal in paragraph 11(b) that officers of the rank of Assistant Auditor and above should be appointed by the Governor in his discretion, after consultation with the Public Service Commission; but he agrees that we should strive for this.

17. We had to admit to Maurice Smith that we could not see the difference between paragraph 11(a) and paragraph 12—if the appointment is in discretion, the Governor would no doubt be delighted to have the help of the Director-General. But we agree we should strive for 11(a) and (b).

18. We can not claim to feel very strongly that, as suggested in paragraph 13, there would be great advantage in calling the head of the Regional Audit Department 'Auditor-General'. What does seem to us important, however, is who is to do the auditing of transactions in a self-governing Region on behalf of the Federal Government. Under the departmental reorganization effected in consequence of the 1954 constitutional changes, the arrangements made were based on the following passage from the Note prepared for the Council of Ministers:—

'The treatment of the sources of public revenue and the objects of public expenditure in Nigeria will continue, even when the constitutional changes take effect, to be very difficult to separate clearly into 'Federal' and 'Regional'. It seems inevitable that the Regional accounting organisations will receive revenue and make payments on behalf of the Federal Government and that the Federal accounting organisation will do the same for Regional Governments. It follows from this that much of the audit work of the Federal Government must necessarily be done by officers of the Regional Audit Departments on an agency basis.'

It was also decided that the Governments would not raise charges against one another for this work. We should be interested to know whether the Director-General of the Oversea Audit Service has expressed any views about what should happen when a Region becomes self-governing. If the proposals in paragraph 11 (a) and (b) were given effect, we should hope that the present arrangements would continue. It would be wasteful of staff (if, indeed, they could be recruited), of accommodation and of money to try to set up in each Region a separate Federal Audit organization solely to audit Federal transactions in that Region.

19. I apologize for sending another long letter but hope that it will help in further consideration of this important matter. I am sending copies to the Regional Governors.

347 CO 554/1008, no 58

23 Apr 1956

[Public service]: letter from Sir C Pleass to Sir J Robertson on the compensation sum to be offered to retiring officers from the Eastern Region [Extract]

[The issue of the amount of compensation to be offered to retiring expatriate officer had been considered within the CO since the 1954 constitution had been agreed. A compensation scheme was approved by the Council of Ministers in Jan 1955 but the

figure remained a problem, with comparisons being made with the £9,000–£10,000 agreed in Singapore and the £8,000 agreed in the Gold Coast. The federal government settled on £9,000 but a lower figure was proposed by the Eastern government.]

Will you please refer to Grey's letter 122/III/672 of the 16th April. I have discussed this letter with Gunning¹ who has discussed it with Fogar and we all agree that the best course would be to go for a maximum figure of £8,000.

It is probably true that having regard to the fall in the value of money a higher figure might be justified but it will be so difficult as probably to be impossible to secure Ministers' acceptance of a higher figure. Moreover, if we go for a higher figure they will undoubtedly accuse us of attempting to hold them to ransom in an endeavour to extract the maximum possible sum which in their financial position would deprive them of the funds necessary for development. Grey says 'it may be that we shall have to start on a higher figure in order to end up with £8,000 . . .'. I think it would be unwise to attempt to bargain in this matter. The figure paid by the Indian Government was £8,000; the figure paid by the Gold Coast Government was £8,000; we, therefore, have sound precedent to say that the figure to be paid by the Eastern Regional Government should also be £8,000. Furthermore, that will be an argument which the Eastern Regional Ministers will find it very difficult to resist. This is important because in spite of what the leaders agreed to in London from what has been said during the past two years I am sure they will be most reluctant to pay lump sum compensation. On more than one occasion they have referred in bitter terms to their 'having to buy their freedom'.²

In this connection your attention is invited to paragraph 3 (iii) of the attachment to my letter A.114/8/IV/38 of the 20th April in which was set out the line which Zik was now adopting and which he may well adopt at the conference in connection with lump sum compensation.

As for the method of approach, I think we should be making a mistake in this Region if I were to take it up first with the Ministers. It was the Secretary of State who made it clear at the London Conference that, to quote from paragraph 29 of the report of that conference:—

'Her Majesty's Government, as a condition to agreeing to them, would have to stipulate that suitable arrangements must be made for certain categories of public servants to retire with adequate compensation if they preferred this to continuing to serve Regional Governments. . . .'

¹ O P Gunning, deputy governor, Eastern Region, 1956.

² Williamson added at this point, 'Quite. "The price of independence. . . ."'.

348 CO 554/997, no 28

23 Apr 1956

[Constitutional conference]: letter from Mr Lennox-Boyd to Sir J Robertson on issues affecting the grant of regional self-government to be considered at the constitutional conference

Many thanks for your secret and personal letter (G.247/Vol.II/516) of the 23rd March about the review of revenue allocation and other matters connected with the next constitutional conference.

You and the Regional Governors have given us a new and most helpful line of thought on this matter, for which we are very grateful. I should first, however, like to clear up a possible misconception which seems to have crept into the second and third paragraphs of your letter.

While we think there will have to be a revenue allocation review fairly soon after the September conference, none of us here, as you will know from much previous correspondence (e.g. Lloyd's letter of the 29th June last to Marshall and the latter's reply of the 9th July), ever wanted it to take place before that conference. The whole purpose of our despatch of the 28th July was to make H.M.G. invulnerable to any possible criticism that I, as Secretary of State, had taken no initiative in the matter on the lines recommended by Sir Louis Chick and endorsed by the Lagos conference. Our purpose has now been fully served.

I now come to what I think is the most important point in your letter. I accept your advice in paragraph 10 that H.M.G. cannot postpone the actual implementation of the 1953 promise of regional self-government to those Regions which claim it (and it seems possible that this may now mean all three Regions) until after the holding of a revenue allocation review and completion of all the work which it will involve. We shall have to aim to introduce regional self-government as soon as practicable after the September conference—assuming of course that that conference results in general agreement and does not break down.

I agree also however with your conclusion in paragraph 9 that if a Region wants self-government immediately it must be on the basis of present arrangements, i.e. no revenue changes, no fragmentation and no alteration in the exclusive or concurrent lists, though perhaps there would be no objection to all the Regions taking over at once items such as Commissions of Enquiry which entail no material expense and which would not involve substantial change in the body of the present instruments. Apart from this any alteration in the existing structure would, as you suggest, have to wait until after the revenues review. I am also quite clear that we should not agree to any item being taken over and paid for by one Region alone. There must be only one exclusive list for the Federation and the concurrent list must be the same for all Regions. In particular there could be no question of one Region taking over and paying for the Police. The whole question of the police is an important subject on which there is separate correspondence.

For various reasons, including the necessity to ensure that the safeguards for the Federation (paragraph 28 of the London Conference Report) are made fully effective and that lump sum compensation arrangements (as we are all agreed) come into force simultaneously with regional self-government, we here are clear that we should have to have the constitutional instruments amended to give effect to regional self-government even on the basis of the existing structure. It would be quite impracticable to proceed by way of a 'gentleman's agreement'. Assuming that there are no unexpected, serious complications and that the first drafts are prepared quickly in Nigeria, then, the existing structure being unchanged, my legal advisers should be able to complete the draft instruments within about six months of the end of the 1956 conference. This means that we have good reason to hope that regional self-government could begin to operate about April or May, 1957. I suggest that that ought to satisfy even Awolowo and the Action Group and I think I ought to be able to get him to accept that as being in the circumstances a very reasonable implementation of the 1953 promise.

Assuming that the September conference reaches agreement on these lines—and this will mean detailed agreement on the provisions for regional self-government in each Region concerned as well as on safeguards for the Federal Government and the Federation—the conference could *then* go on to consider any changes in the exclusive and concurrent lists to take effect after a revenue review, and in the light of any provisional agreements reached on that matter the conference could proceed with the question of the composition and terms of reference of a commission to review revenue allocation.

Thereafter, and it would presumably be not earlier than about the end of 1957 and might even be well into 1958, the conference could resume (? in Lagos) to consider the report of the revenue allocation commission and to seek agreement on it and on any out-standing matters. That should not leave an undue burden of further work for the legal draftsmen. In effect it should not amount to much more than re-writing of the present Chapter VI of the 1954 Constitution Order in Council, a few amendments to the legislative lists, and some inevitable consequential amendments in the body of the instruments.

You will now have seen from Williamson's secret and personal letter (DEF 78/14/01) to you of the 24th March about the future of the Nigerian Military Forces that H.M.G. want your Government to take over responsibility for the administration of the Forces as from April, 1958, and if possible to pay the whole cost. As was made clear in paragraph 11 of that letter, if we get that decision across—as we want to—it will be an added argument in favour of an early review of revenue allocation.

Generally in relation to the powers and financial strength of the Federal Government, I think we must do all we can to strengthen rather than weaken it in essential matters. I am sure you will agree. I understand that your people are preparing a separate brief on division of powers in the light of a number of comments we have sent to you.

Coming now to the agenda of the September Conference, I note your latest views about a 'review of the constitution' and the bringing to light of the 'facts' (paragraph 12 of your letter). I am content that the 'facts'—by which I mean instances of bad government, corruption, misuse of funds and so forth—should be brought out, as you now suggest, in their proper context in discussion of the relevant items, rather than under a special item, and I trust that you and the Regional Governors will come to the conference ready to speak on these matters. There is no question in my mind of refusing regional self-government because of these 'facts'. But I hope we are all agreed that they ought not to be glossed over or ignored, however much they may be counter-balanced by any good achievements. I shall be willing for my part to broach such matters; but I shall need to call upon you and the Regional Governors to enlarge on them, and I shall have to ask you and the Governors to prepare material on which I can base whatever I say. I shall be grateful if this can be done.

In your paragraph 13 you refer to the question of representation of the Federation at the conference. I am sorry to learn (from Grey's letter to Williamson 247/526 of the 3rd April) that you do not seem to have been able to make any progress on this matter. For my part I should be glad if there could be representation of the Federal House at the conference, and I fear we shall be criticised here in Parliamentary and press circles if a solution is not found. Maybe no worthwhile solution is possible. I can only leave it to you to battle on and to let me have any recommendations you feel able to make. If there is anything I can do to help on this, please let me know.

As regards the point about 'good government' and 'self-government' raised in paragraph 14 of your letter, you will now have seen from some of the draft briefs sent to you the kind of provisions we have in mind.

I have also seen Grey's letter to Williamson 247/II/533 of the 4th April and I would like to comment on paragraphs 3 to 5 of it.

On paragraph 3: I agree with Grey that it would be wrong to start the conference by separate Regional meetings, but I should be quite ready to see the conference break up into Regional working parties later on in its proceedings if that seemed to be the general wish. As he says, it must very much depend on the atmosphere of the conference.

On paragraphs 4 and 5: I agree that we do not want to lose sight of the Federal wood because of the Regional trees, but we do not at the September conference want to encourage talk of the Federation proceeding further towards the goal of independence but to play this down. In any case I doubt if we can settle the tactics of what I should say at the conference quite so far ahead. This is the sort of point which I suggest we might talk about when, as I hope will be the case you and I and the Regional Governors discuss matters a few days before the conference opens.

I should like finally to mention one other matter. As we approach September, it is obvious that there are an increasing number of important matters on which we here shall need your advice and that of the Regional Governors. And during the period of the conference itself, although the delegation representing the Federation and my delegation representing H.M.G. will appear as separate entities, we shall clearly need to be in the closest and most constant touch outside the conference room. I believe it would serve our common purposes if you and the three Regional Governors could, from now on, have regular 'Governors' conferences together, under your chairmanship, so that all matters of mutual interest might be discussed between you. I know the difficulty of arranging meetings but I do hope you will carefully consider this suggestion, and feel able to implement it.

I am sending copies of this letter to Sharwood-Smith, Pleass and Rankine.

349 CO 554/1031, no 71

25 Apr 1956

[Control of police]: letter from Sir T Lloyd to Sir J Robertson
opposing the possible regionalisation of the police

There has been a great deal of correspondence for over a year now between this Office and you and the Regional Governors about the future of the police, with particular reference to the line to be taken at the September constitutional conference.¹ The correspondence from this end began with Williamson's letter of the 14th February 1955 to Rankine, and rests with his letter of the 2nd March last to Grey. We have also seen a copy of Rankine's very important letter (S.40/6) of the 21st February last to you.

2. You will remember that the problem was discussed, in a preliminary way, when you and the Regional Governors were here last October. I quote the relevant extract from the record of that talk:—

¹ See 311.

'(d) *Police. The Governors of the East and West* expressed the view that their Ministers would certainly press for "Regionalisation" of the Police. *It was agreed* that this should not be conceded, that the Nigeria Police should remain on the Exclusive List and that the Governor-General should remain responsible in his discretion for their operational control. There should however be a larger measure of administrative devolution to give Regional Commissioners of Police greater powers, in the discharge of which they would be responsible to Regional Governors acting in their discretion. The Inspector-General would however retain ultimate operational as well as administrative authority. (It was pointed out that all this was possible under the present constitutional provisions and in fact represented the intentions of the London Conference of 1953). The object would be to convey an appearance of Regional autonomy while preserving intact ultimate Federal control of a single Force.'

3. I do not need to re-state all the arguments, both for and against regionalisation, which have been fully set out in earlier correspondence, and which you are no doubt weighing very carefully. The purpose of this letter is to ask you to let us have, as soon as you reasonably can, your considered personal advice as to the line to be taken in September.

4. We realise that there will be pressure from all three Regions to regionalise the Nigeria Police. We realise, too, that the arguments for regionalisation which the Action Group (and possibly others also) will use, and the safeguards which they are likely to suggest, as set out in the enclosure to Rankine's letter of the 21st February, will have an appearance of responsibility and moderation; and that an uncompromising refusal on H.M.G.'s part to accept regionalisation might—I would not at the moment put it higher—lead to a breakdown of the conference.

5. We are not, however, wholly convinced that what the Action Group propose would prove satisfactory in practice, either in the West or elsewhere. To take, in particular, paragraph 13(b) of their paper: if Regional Ministers disagreed with the way in which the Regional Governor was exercising his discretionary powers over the operational control of the police—as they well might—they could easily engineer a major constitutional crisis by refusing to vote supply and thus forcing the Governor to use the reserved powers which they propose to give him. (I imagine that a situation of this kind could arise only too easily in the East.) The use of a Governor's reserved powers over a (regional) matter of this kind under regional self-government could not but lead to a major flare-up; and I doubt whether we should expose the police to such risks. A police force whose proper supply might depend on the exercise of reserved powers would be likely to lack the morale and confidence so necessary for the successful carrying out of its duties.

6. So long as Nigeria as a whole remains dependent, the Secretary of State is ultimately responsible to Parliament for good government, including first and foremost public order and public safety, and it seems doubtful whether our main instrument (short of the Armed Forces) for ensuring public order ought to be split up and handed over so largely to unpredictable and probably unreliable influence. In this connection we have noted with serious apprehension paragraph 13(c) of the Action Group paper which suggests that Public Order should become a residual matter; and you will have been told of the great pains to which Lord Chandos went at

the Lagos conference in 1954 to ensure that that subject should be concurrent. He was, I know, looking ahead to 1956 and beyond.

7. I think you should see the following extract from a minute recently written in our newly created Police Department:—

‘In considering what should be done during the interim period it is important that we should have some conception of the ultimate goal, i.e. the organisation that we should wish to see left in Nigeria when it attains full independence. This may be gravely affected by decisions taken now. It is, I think, becoming increasingly clear that the regionalisation of the Nigerian police, even if we can avoid it so long as the Federal Government remains dependent and we maintain ultimate responsibility for peace and order throughout Nigeria, will become almost impossible to resist at the final stage. If that is so, the danger against which I think we ought to prepare is the creation of regional forces which are not only separate but also self-sufficient. The police organisation throughout the Federation ought to be properly articulated. What I think we should aim at *ultimately is regional forces under strong federal supervision backed by grant*; and this not only for the reasons given above but because I believe this form of police organisation provides the best safeguard against the abuse of police powers either locally or at the centre and also makes for the most efficient policing. This argument could be elaborated, but here it need only be emphasized that it would still be possible under an organisation of this kind to make the Federation responsible for certain specialised services connected, e.g. with training, C.I.D. and perhaps Special Branch work, or even to provide it with its own force.’

I feel sure that it is right that we should have our ultimate aim in view and was myself rather impressed with the argument in this minute. Williamson however, whose experience in the Home Office included police matters, tells me that he very much doubts whether a system of regional forces under strong federal supervision backed by grants would be workable since in his view it would involve a considerable increase of administrative work and you are of course very short of administrative staff. He also makes the point that it would probably be pretty well impossible to keep on expatriate police staff if they were to become the servants of the Region. That is no doubt true, though perhaps at this stage one might be able to invent some way whereby they remained in Federal employment, being only seconded to the regional branches.

8. However that may be, whatever weight we may give to political considerations, we have obviously got to give at least equal weight to how things would work out in practice. Some of the practical and administrative difficulties about regionalisation were listed in paragraphs 7 to 10 of Williamson’s letter of the 17th September to Grey.

9. Particular importance attaches to the position and work of the Special Branch. Although the Action Group contemplate that the Governor should have reserved powers to ensure supply, in practice the administration of the force under regionalisation would in the first place have to be in the hands of an African Minister. The Regional Commissioner of Police would be initially responsible to that Minister, no doubt through a Permanent Secretary, for the administration of the force and would have to draw up the police estimates in conjunction with the Minister. He

would thus be subject to Ministerial pressure. The responsibility of the Minister for the administration of the regional force would presumably mean that Ministers would sooner or later become aware of the Special Branch organisation and of the intelligence reporting system. You will no doubt consider how, and with what degree of efficiency, the intelligence system could operate given regionalised forces.

10. To conclude. Regionalisation of the police must mean administrative and financial control by Regional Ministers, and in practice a substantial weakening of the Governor-General's responsibility for internal security and public order, with the added risk of the deterioration of the forces available for maintaining public order. If the political pressure for regionalisation is to be met, then these risks (and the practical difficulties involved) must be assessed and the risks taken. But if the risks are considered to be too high a price to pay from the point of view of H.M.G.'s ultimate responsibility for public order, i.e. if Regional Ministers cannot be entrusted with this additional responsibility, or if nothing on the lines of the proposal quoted in paragraph 7 above can be worked out, then the only alternative is that the police must remain purely a Federal responsibility and their operational control remain in your hands. If that conclusion is reached, it may involve a breakdown of the conference. I have not at this stage discussed that possibility with the Secretary of State but I have little doubt that he would be prepared to take a stand on this matter, and to defend it publicly, if you advised that he should do so and gave me your reasons. Indeed I think he would probably say that he would not be prepared to regionalise the police *unless* your considered advice was that we could take that step without undue risks. After all, H.M.G. never promised to give the Regions self-government in 1956 *pur et simple*. Or in respect of all matters which they might want to control.

11. We shall look forward to receiving your advice on this very important and difficult matter. I am sending copies of this letter to the three Regional Governors for their information.

350 CO 554/1247, no 28

13 May 1956

[Aid]: letter from Sir C Pleass to T B Williamson on the need to continue Colonial Development and Welfare allocations to self-governing regions

With reference to your letter No. WAF 182/224/02 of the 1st May and your attachment thereto, I don't want to say very much with regard to the Brief on the subject of Colonial Development and Welfare allocations to self-governing Regions.¹ It is fully appreciated that it would be inadvisable to stop such assistance for the following reasons:—

- (a) it would be interpreted as an attempt to coerce a Region out of asking for self-government;
- (b) if it were given to a still dependent Federation it would be very difficult to justify not giving it to a self-governing Region (in fact, of course, there are severe limitations on the degree of self-government which any Region can get);

¹ For earlier consideration of this issue see 268 and 272.

- (c) it is difficult to say what justification there could be for treating a comparatively poor Nigeria differently from an obviously wealthy Malaya;
- (d) Ministers of the great powers—U.S.A., U.K., U.S.S.R. are always talking about economic aid to under-developed countries, a subject which is very much in the air at the moment; having regard to these views it would be very difficult to justify no economic assistance to a self-governing Region such as the Eastern Region which obviously so greatly requires it;
- (e) it is one of our aims to keep Nigeria within the British Commonwealth of Nations and there is no doubt that all Nigerian politicians wish to stay within the British Commonwealth of Nations when either the Regions or Nigeria obtains self-government, but were Britain to deny this underdeveloped country financial assistance when Nigeria or any Region thereof became self-governing the country would undoubtedly have to turn elsewhere for financial assistance and this might have unforeseen effects.

The statement contained at the end of paragraph 7 of the Brief to the effect that when a self-governing Region is able to draw on its existing C. D. & W. allocations, the Secretary of State should make it clear that this will only be possible if the Region continues to comply with the second of the conditions referred to in the despatch at appendix A, that is the conditions about complying with normal accounting conditions, is clearly necessary.

I am sending a copy of this letter to Robertson.

351 CO 554/997

14 May 1956

[Revenue allocation]: minute by T B Williamson on the need at the constitutional conference to ensure a financially strong centre

[Extract]

[The question of revenue allocation between the regions was one of the most contentious issues to be considered before the planned 1956 constitutional conference. Both the Eastern and Western governments argued that the Chick Report arrangements were unfair on their respective regions and urged a review to allow a fairer allocation of funds. At a preparatory conference held in Lagos in Jan 1956 (involving Robertson, the three regional governors, the commissioner for the Southern Cameroons and members of the federal and regional governments) it was agreed that any decision on whether to have a review of revenue allocation would have to be delayed to the start of the conference (CO 554/997, no 24, Grey to Williamson, 6 Jan 1956).]

... I think the brief should emphasise that the Chick/Lagos conference settlement wiped the slate clean. As you know, for years up to the time of the Lagos conference, and at the Lagos conference itself, the West claimed that they had been financing the East, and the North felt that they had been starved. All these old arguments are likely to be trotted out again next September *unless* the Secretary of State says firmly that the Lagos (1954) settlement must be regarded as having been a just and agreed one, and that we are only concerned now with how the revenue allocation system has worked since the 1st October, 1954, and whether any adjustments are necessary in the future.

One of the great merits of Chick's recommendations was that he provided for a

financially strong Centre.¹ I think we must insist that the Centre shall remain financially strong, though we can and no doubt should continue its present powers to make grants to the Regions. If, from a fiscal point of view, the Centre were to be weak and were to become dependent on the generosity of the Regions, that would be a further, and probably mortal, blow to the unity of the country.

I think this brief ought to bring out, in the body of the brief rather than in an annex, the position about the Nigeria military forces. There will be a separate brief on that subject, but it is tolerably clear that the Federal Government will need considerably more money in the future for Defence.

I am sending copies of this minute to Mr. Eastwood and Mr. M.G. Smith. You will no doubt arrange to let them see copies of your paper. The top copy of this minute might go to Mr. Galsworthy on the file with the top copy of the paper.

¹ A particular concern in the CO in this period was the reaction of the Eastern Region government to the wider implications of revenue allocation. The NCNC argued that if the Chick arrangements were not to be reconsidered at the 1956 conference, they would drop their support for the CO arguments for a strong Centre and argue instead for the division of Nigeria into three separate states (CO 554/997, no 48, Pleass to Robertson, 24 June 1956).

352 CO 554/905, no 36

16 May 1956

[Self-government]: letter from Sir J Rankine to Sir J Robertson on the need to qualify the objective of delaying self-government with the retention of local goodwill [Extract]

... I am glad to see that the basic objective of delaying the grant of independence as long as possible has been qualified by the term 'consistent with the retention of local goodwill'. Experience has shown that once anything approaching independence has been granted we are on the slippery slope and that there is little chance of applying the brake; on the contrary, the pace tends to accelerate rapidly the further you go. Whilst therefore I agree with the policy proposed I suggest that it is essential to keep the qualification in the fore-front of our minds lest it should become obscured by other considerations. Above all it should be remembered that, if we wish to retain the goodwill of the local people, then it is far better to grant something willingly with good grace before we are forced to concede it. More especially is this the case as it has been frequently stated that it is the policy of H.M.G. to lead the colonial territories to self-government as rapidly as possible. ...

353 DO 35/10445, no 19

23 May 1956

[Political situation]: despatch no 26 from Sir J Rankine to Mr Lennox-Boyd on regional self-government, the public service, Ibadan affairs, natural rulers and the Western Region elections [Extract]

... *Self-government*

16. The first major difficulty with the Ministers arose over their desire to pass a resolution in the Legislature referring to the promise made at the London

Conference and requesting full self-government in all matters within the competence of the Regional Government with effect from the 1st January, 1956.¹ The proposal was clearly an electioneering stunt, the object being to steal a march on the N.C.N.C. and to show the Action Group as the Party which was finally obtaining self-government for the Region. It was based on a very doubtful interpretation of the record of the Conference to the effect that Regional self-government had been promised in 1956 to any Region which liked to ask for it and that the details were matters for settlement direct between Her Majesty's Government and the Region concerned and need not concern the further Conference to be convened in 1956 which was to discuss self-government for the Centre. After unsuccessful efforts to dissuade the Ministers from this course, and after consultation with the Governor-General, I advised that there was no means of preventing their moving this resolution, and that the reply would have to be that whilst the promise still held good the details of its implementation were matters for consideration at the 1956 Conference since many of them might affect the other Governments. On your instructions I discussed the question further with the Ministers, emphasising that their intention was not consistent with the agreement reached during your visit here in January 1955, that it would not be possible to grant self-government without considering its implications on the Federation and the other Regions at the 1956 Conference. Eventually, after much argument the Ministers compromised by removing the date, *i.e.*, the 1st January, 1956, from their resolution, but they did so with bad grace.² As you know, when they set their minds on an action they resent very strongly any attempt to turn them from their course, which they immediately regard as obstruction. It is only made the worse when at the same time they have a slight twinge of conscience.

The administrative staff

17. In spite of our troubles over the arrangements for the Royal Tour³ and several other incidents, I think it is fair to say that relations generally between Ministers and their expatriate staff, both administrative and departmental, have remained reasonably good. The attitude of the extreme elements of the Action Group towards expatriate officers, and particularly those associated with the 'old régime,' is that they are a necessary evil. This attitude is not shared by all Ministers, but it serves to explain much of the apparent bitterness which emerges from time to time. The Premier has stated frequently that he gave instructions to the Action Group press to call off attacks on expatriates after the 1st October, 1954. Although this injunction has not been consistently observed, the Premier himself is, I think, genuinely concerned about the possibility of a breakdown in the Administration through the premature departure of experienced Administrative Officers. The examples of the Sudan and the Gold Coast are obviously much in his mind and this probably prompted his recent remarks to you on the subject. The situation with regard to expatriate staff gives cause for increasing concern. Owing to the uncertainty as to the future, especially whether there is any longer a career in the Service here, there has been a steady exodus of experienced officers. There is clearly little desire to stay if any alternative employment can be found. For example, in the Administration alone

¹ See 330.

² See 339.

³ See 345.

since October 1954, we have lost no fewer than twenty-nine officers through retirement, resignation or transfer. In spite of the creation of many new posts, we have not succeeded in recruiting a single expatriate to replace these. Admittedly fifteen African officers have been appointed, but these are all young and inexperienced and it will be a considerable time before they are of any real value. It is hoped that the new H.M.O.C.S. scheme, recently announced in the House of Commons, will do something to encourage recruitment and to stop this continuous wastage.

18. The Ministers for some time have felt that recruitment through traditional agencies is too slow and ineffective and not only that direct recruitment through the Regional Commissioner in London would be more fruitful, but that we must try other sources, *e.g.*, the Continent, India and even Japan. Although naturally they have not the same attachment to the United Kingdom as British personnel, I believe they would prefer to see our vacancies filled by British officers if we can get them. It is convenient in many ways. The African much prefers the devil he knows to the devil he doesn't know. But the answer received to representations on the subject of improved recruitment is always the same. This Government is largely to blame for the lack of response. By its 'frigidaire' and other policies it turned off the tap and it cannot easily be turned on again. It has produced uncertainty as to whether there is a satisfying career here. Terms of service sometimes compare unfavourably with those elsewhere. Expatriate officers from time to time are subjected to unfair political and press attacks. All this is true and must be frankly admitted. But Ministers are interested in the future, not in the past, and are determined to get the staff they want. If they cannot get them from Britain and Commonwealth countries they will go elsewhere. There is no room for complacency. The vital question is, How important is it to maintain the British element in the Public Service? We have a very large stake in Nigeria. To what extent is it necessary or desirable to try and preserve the British connection? If it is considered necessary, then something much more drastic must be done, and must be done quickly, to fill our vacancies by British recruits, before the Ministers insist on filling them from Europe, India and elsewhere.

19. One of the Premier's major political aims has been to render the Administration redundant by absorbing their functions in appropriate alternative agencies. As part of this exercise, the Ministers have for some time been anxious to appoint individuals (non-officials) as Justices of the Peace. The Magistrates Courts (Western Region) Law, 1955, included provision for the Minister of Justice, with the consent of the Governor-in-Council, to appoint any person to be a Justice of the Peace with full powers, including that of calling in the aid and assistance of police officers and others. Previously persons other than Administrative Officers or Magistrates have been appointed without this power. While we were considering the security aspects of this matter, your legal advisers pointed out that the Western Region Magistrates Courts Law was *ultra vires* in two respects; first that it provided for appointment of a Justice of the Peace (a public office) to be made by a Minister, instead of by the Governor, and secondly the provision that a J.P. could call for aid from the police (a Federal Force). This advice has brought to light a number of other appointments made by Ministers and others under approved legislation which now appear to be invalid. They include appointments of Registration Officers and Electoral Officers and their Assistants, and Local Government Inspectors. It now

seems probable that amending legislation will be required to validate the appointments already made and the actions of the individuals so appointed.

Ibadan affairs

20. The bitterness of inter-party strife has been maintained and nowhere is this more evident than in the events leading up to the dissolution of the Ibadan District Council. When I wrote my last despatch an enquiry was about to be held into the affairs of this N.C.N.C.-controlled Council, which had been charged with a number of offences including corruption, nepotism, and general inefficiency. In the event, Mr. E.W.J. Nicholson, Town Clerk of Abingdon, who was in Nigeria on a lecture tour, was invited and agreed to undertake it. It took longer than expected owing to the large numbers of lawyers appearing (no less than seventeen), the number of witnesses (100), and the Fabian tactics adopted by both sides; but the report was received in December.⁴

21. The Commissioner did not consider that there had been a general failure on the part of the Council, but found as a fact that Adelabu (the Chairman) was guilty of corruption in three separate instances, that he had permitted a conflict of official duty to continue without resolving it, that he had been guilty of making provocative and inflammatory speeches, and that he had been undemocratic and administratively unsound. He recommended that the Council should be given an opportunity of dissociating itself from the wrongful acts of its Chairman and certain other members by calling upon them to resign. The Ministers were agreeably surprised by the Commissioner's conclusions. They particularly relished his severe strictures on that scourge of the Action Group, Adegoke Adelabu. At last they had their arch-enemy (who was also an N.C.N.C. Federal Minister) where they wanted him, and, in contrast to their action with the Lloyd Report on the Oyo riots, no time was lost in publishing the report.⁵ Incidentally, you may remember from my earlier reports how strongly I had had to counsel patience and restraint upon the Minister concerned in dealing with the Council and the reluctance with which he had agreed to defer holding the enquiry until he did. It was not a little ironic to find the Minister complimented in the report on his restraint in not having instituted an earlier enquiry.

⁴ E W J Nicholson, town clerk of Abingdon, was appointed in mid-1955 to undertake a commission of inquiry into the affairs of Ibadan District Council. The background to this lay in the career of Adegoke Adelabu, a leading member of the NCNC and chairman of the council since 1954. Adelabu, former vice-president of the Ibadan People's Party, had built a formidable political machine in the city, based around the Ibadan Taxpayers' Association (the 'Mabolaje') in alliance with the NCNC; in 1954 he had become Federal Minister of social services. Allegations of maladministration concerning the Ibadan District Council led the (AG) Western Region government to appoint the Nicholson Commission, though critics saw this as politically motivated. Nicholson found Adelabu responsible for a number of gross failures of administration. See E W J Nicholson, *Report of the Commission of Inquiry into the Administration of the Ibadan District Council* (Abingdon, 1956). The regional government urged the District Council to dissociate itself from its chairman and in January 1956, following apparently inebriated behaviour at a meeting of the Council of Ministers and allegations of corruption, Adelabu was forced to resign as minister. However he refused to resign as chairman of the District Council and was subsequently cleared of criminal charges arising out of the Nicholson Report; in March 1956 the Western Region government dissolved the council and appointed a caretaker council in its place. Following the May 1956 elections in the Western Region, Adelabu became leader of the opposition in the Assembly. He was killed in a car crash in March 1958 and his death was followed by extensive rioting in Ibadan and its environs.

⁵ See 271.

22. After lengthy discussions the Ministers decided to give the Ibadan District Council the opportunity recommended of dissociating itself from the wrongful acts of the Chairman and other members of the Council by inviting them to resign. It was only with considerable difficulty, however, that I was able to persuade them that it was inadvisable to threaten immediate dissolution should the Council fail to remove Adelabu and his associates, and indeed from fixing a date there and then for the dissolution of the Council in any case irrespective of any action the Council might take. A letter was addressed to the Council accordingly. So far as I am aware, it took no action at all beyond setting up a Committee which in fact never sat, and which according to the Minister was never intended to meet. Meanwhile the Minister became more and more impatient. Although the letter to the Council was only issued on the 15th February, he informed me that, if the Council had not announced positive action against Adelabu and the other guilty men before March 3rd, he proposed to dissolve it forthwith and set up a Caretaker Committee. Once again I had to urge patience and advise that in view of public opinion the Council should at least be given a reasonable period in which, if it so desired, to dissociate itself from the action of the Chairman and others. The next statutory meeting was due to be held on March 3rd and I urged that no action should be taken at least until after that meeting. The Minister was quite unable to listen to reason on this point probably because he feared that the Council might take the necessary action and so deprive him and the Government of the satisfaction and prestige of having dissolved it. Fortunately, after further discussion, I was able to persuade the Premier to wait until after the Council's meeting.

23. At the same time, there were some interesting developments on the other side. A motion was tabled in the District Council, supported by more than thirty N.C.N.C. councillors, demanding that Adelabu should be removed from the Chairmanship and that he and the other offending councillors should be asked to resign. It is reported that fortified by alcohol, Adelabu broke into a meeting of the dissidents and ordered several of them to be beaten up, and that it cost him a considerable sum to keep it out of court. It is doubtful anyway whether the anti-Adelabu faction would have been able to muster the necessary majority to oust him, but the incident is noteworthy as the first sign that he may be losing control over his own followers. He had, of course, lost face through his enforced resignation as a Federal Minister a month earlier. The District Council duly met on the 3rd March and at the end of a long meeting Adelabu, as Chairman, with great dexterity declared the motion by the thirty dissidents 'out of order.' This left the way clear for the Minister of Justice and Local Government, who promptly dissolved the Council and appointed a provisional council of generally moderate views nominated by himself. The Olubadan of Ibadan (Chief I.B. Akinyele) remains President of the Provisional Council. He is, of course, a supporter of the Action Group, but is a moderate and, with the death last year of the rival Olubadan sponsored by Adelabu, his own position in the town has improved. If he can guide the new Provisional Council along the paths of moderation and sound administration he will earn the gratitude of the Ibadans. The intense party strife of the last two years, and the antics of Adelabu, have been of little credit to the largest African city in the continent.

Natural rulers

24. Another question which gives ground for concern is the position of the Obas and Chiefs in relation to politics. You are already aware of the story of the fall of the

Alafin of Oyo.⁶ Although he is a stupid, ignorant and despotic old man, who acted extremely foolishly on many occasions, the main reason for his exile, and the reason which the Ministers gave at the time, was that he took part in politics and aligned himself openly with one particular party. The Premier and the Minister for Justice and Local Government have frequently expressed agreement with my view that the Chiefs must keep out of politics. I wished to say this recently when opening the Chiefs' Conference, but desisted when the Premier and Ministers urged me strongly not to do so just before the election, as they felt that that would gravely prejudice their own prospects. They said they agreed with my view and that after the election they would do what they could to persuade Chiefs to take up an entirely neutral position. But I have expressed these views publicly on other occasions. In spite of warnings, however, and under great pressure from the Action Group, a number of important Chiefs—including the Oni, the Alake and the Olubadan—have come out strongly in support of the Action Group. This has naturally aroused great resentment on the part of the N.C.N.C. and if the latter should win the election I fear that a number of prominent Chiefs will find themselves in grave jeopardy. The action of those Chiefs who have come out in support of one or other of the parties may well have sounded the death knell of the larger chieftaincies in this Region. They have frequently been warned and can have no one but themselves to blame. . . .

COLONIAL OFFICE NOTE. Since this despatch was written the results of the election for the Western Region House of Assembly have become known and the following is the text of a telegram from the Governor, dated 28th May, regarding them:—

Elections

You will be interested to learn that polling took place on Saturday and most of the results were announced yesterday.⁷ There are two still to come. The present position is Action Group 48 seats, N.C.N.C. 30 seats. There are likely to be at least two by-elections in cases in which N.C.N.C. candidates were wrongly disqualified and Action Group candidates returned unopposed.

2. There was a large turnout in nearly all constituencies, altogether approximately 68 per cent. of registered electorate voting, including many women. Although we had some anxious moments and arrangements did not go quite as smoothly as at last Federal Election, generally speaking election appears to have been conducted satisfactorily in an orderly manner. Administrative Officers supervised arrangements generally, but at strong request of Ministers the vast majority of presiding and polling officers were African Unofficials. They were not of very high calibre and time to train them was extremely short. This may result in some objections and electoral petitions, but so far as is known at present there were no serious incidents or irregularities.

3. From a security point of view yesterday and to-day, being public holidays following announcement of (? results), are probably the critical period. There has been some tension and a good deal of interest and excitement. But crowds generally have been good-humoured and well-behaved and there have been no serious

⁶ See 271.

⁷ Elections to the Western Region House of Assembly were held at the end of May 1956.

incidents. Police raid described in paragraph 2 of my telegram Personal No. 35 undoubtedly had a most salutary effect. In Ibadan continuous patrolling by police in wireless cars did much to reassure the public and prevent intimidation.

4. One significant result is the total elimination of small parties and independents, most of (2 groups omitted ? whom lost) their deposits. Fifty-eight independent candidates stood but all were defeated. This should facilitate representation at London Conference.

5. Four Ministers, Awosika, Akinloye, Ighodaro and Odunjo, have been defeated. With possible exception of first named, they are not of outstanding character or ability, but loss of experience will be felt in Executive Council. Premier and Adelabu had large majorities.⁸

⁸ Sir Gilbert Laithwaite, permanent under-secretary of state, CRO, minuted on this despatch 'a most interesting review but not too encouraging for the future'.

354 CO 554/871, no 6E

6 June 1956

[Northern Region self-government]: Northern Region government note on the background to the NPC proposals for constitutional reform

The N.P.C. proposals have been based on reasoned memoranda prepared by Abubakar Tafawa Balewa, Shettima Kashim, Makaman Bida and Inuwa Wada. The tone of the memoranda, all of which I have been shown in confidence, is moderate and realistic with, in the case of Abubakar and Makama in particular, a strong element of idealism.

2. The memoranda were submitted to a committee under the chairmanship of Musa Gashash, consisting of the authors, less Abubakar. The general theme is that a date must be fixed, not later than 1960, for full Regional Self-Government, 1959 being the date ultimately chosen. Points made are that the N.P.C. must have more confidence in itself, that it cannot await a mass mandate and it must face up to the future, in consultation with the Chiefs. The proposals were subsequently discussed with a representative body of Chiefs from all Provinces who gave their agreement. The Chiefs in question were: Gwandu, Zaria, Pategi, Lapai, Katsina, Birom, Bauchi, Dikwa, Adamawa, Kabba, Gumel and Lafia.

3. The obstacles to Self-Government are listed as the general educational backwardness of the masses, the objections of the Chiefs, the lack of local staff and obstruction by British officials. All these objections are disposed of as being based on false premises. Abubakar assumes that officials and Chiefs will not accept the situation without a very hard struggle. I think that this reaction is more emotional than based on evidence: he prefers to see himself as a crusader rather than as one who is preparing to accept what is, in effect, being offered. He indulges in a great deal of self criticism, saying that as a party the N.P.C. talk too much and do very little and that they have only themselves to blame if they do not accept their responsibilities. He says that the party should produce bold schemes of its own volition and put them through. He stresses the necessity for discipline, particularly with regard to personal conduct and ethical standards. He presses for fully elected Native Authority Councils, unless drastic improvement takes place in Councils at present constituted. Another

important point is that he pictures an ultimate parting of the ways as between the political leaders and the Chiefs, should the latter obstruct the acceptance of Self-Government. He says that the Chiefs will realise that they would be better advised to listen to the N.P.C. who are their supporters than be forced to accept the situation which other people who aim to destroy them will impose upon them.

4. In the Committee's report there is a general emphasis on a continued drive to train Northerners. Much play is made with the three enemies of Regional progress: Ignorance, Apathy and Corruption. An interesting comment is that Native Authority Councils should not let the District Officer 'do all the dirty work and take the blame'. The Committee calculated that by 1959 the following qualified Northerners should be available: 12 engineers, 4 electrical engineers, 4 Agricultural Officers, 4 Veterinary Officers, 4 Commercial Officers, 5 Secretariat Officers, 4 Printers, 4 journalists, 12 nurses and 25 teachers.

5. A 'Moderate U.M.B.C.' memorandum, which was also considered, contains the following major points:

- (i) Objections to the Regionalisation of Police, Prisons, Mining and Geological Survey.*
- (ii) Reduction of ex-officio Members in the Council of Ministers.
- (iii) No Prime Minister of Nigeria.
- (iv) Increase in the membership in the House of Assembly on the basis of 150 constituencies and two Special Members for mining and commerce.
- (v) The 'Northern Cabinet' to consist of twelve Ministers and four Chiefs in the proportion of five non-Moslem Ministers and seven Moslem, and two of the four Chiefs to be non-Moslem. Ex-officio Members to remain in the 'Cabinet'.
- (vi) Revenue allocation to be on the basis that will give the North more revenue.
- (vii) Regional Self-Government within five years.
- (viii) Freedom of Religion.

6. The official decision of the Executive Council, having studied the various committee reports and memoranda, has been briefly as follows:

(a) *Federation*

- (i) Senate with twelve members from each Region, Southern Cameroons to have six only until it becomes a full Region, in which case it would have twelve. Members to be appointed either by the Regional Government from people not members of the Legislature or by the Governor-General in Council on the recommendation of Regional Governments.
- (ii) Senate to originate Committee discussions on Bills or any matter brought by any Member. The Senate not to debate money Bills but to debate all Bills and all matter coming from the House of Representatives.¹
- (iii) Delaying powers to be up to six months. Arrangements for discussions in Committee in case of disagreement.

*These objections were subsequently in the main withdrawn.

¹ The issue of a possible Senate remained under debate in the CO throughout this period. In Dec Williamson stressed CO opposition to a strong Senate, because 'it will, after all, be the House where the North could nearly always be out-voted' (CO 554/905, minute by Williamson of 17 Dec 1956).

(iv) Life of the Senate to be five years.
 (v) Assuming the coming into being of the Senate, representation in the House of Representatives in future to be on a population basis. Qualifications for the Senate to be proficiency in the English tongue and a minimum age of forty years.

(vi) House of Representatives: No change unless other parties insist on the removal of Officials. N.P.C. in this case to insist on the Membership of the Council of Ministers reflecting the strength of the Parties in the House.

(b) *Regional legislature*

(i) House of Chiefs to be enlarged to allow for a membership of sixty.

(ii) House of Assembly: 131 elected members, Attorney-General, Advisor on Moslem Law, seven nominated Members, of whom one is to be an expatriate and one to be Trust Territory. Nominated Members to be appointed on the advice of the leader of the majority Party.

(c) *Regional executive*

(i) Governor to be President

(ii) Twelve elected Ministers, four Chiefs and Attorney-General.

(iii) Premier to distribute Portfolios.

(iv) A Chief not to be Premier.

(v) Deputy Governor to replace Civil Secretary. The present Financial Secretary to become Economic Advisor, his Deputy to become Permanent Secretary to the Ministry of Finance.

(d) *Revenue allocation*²

(i) Figures to be produced on the present workings of the existing revenue allocation system.

(ii) An inter-Regional Commission to be established as a Federal responsibility with Regional representation.

(iii) Trade figures for Lagos and the Western Region to be separated.

(e) *Other recommendations*

(i) Residual powers to remain Regional.

(ii) Police to be Regionalised.

(iii) External loans to be concurrent.

(iv) A Chief Minister to be appointed within the Federal Cabinet who is *not* to be of superior status to Regional Premiers.

(v) Regional Executive Councils to be Councils of Ministers.

(vi) No change in Regional boundaries.

(vii) No support for more states.

(viii) Lagos to remain Federal.

(ix) Provision to be included in the Constitution for freedom of conscience, freedom to profess religion, subject to conditions relating to morality, public order or health as may be imposed by law, freedom to free expression, free association and free combination, subject to the law.

² D Timms, principal, West African Department, CO, noted in the margin against this heading, 'This shows a refreshingly sensible approach'.

(x) It was suggested that a start should be made by appointing qualified Northerners to understudy Heads of Departments for the next five years.* The Public Service Commission should be headed by a Northerner and have a Northern majority. Suitable Northerners with more than five years experience in the Senior Service to be placed in positions to understudy their Heads of Department.

(xi) On the attainment of Regional Self-Government the Governor with reserve powers to remain as Her Majesty's representative. The Governor to be appointed by the Queen after consultation with the people of the Region through their representatives.

*Subsequently altered to under-studying at a more rational level.

355 CO 554/1182

7 June 1956

[African Continental Bank affair]: minute by M G Smith on the need for publicity concerning the motion criticising Dr Azikiwe's behaviour over the African Continental Bank

[In April 1956 E O Eyo, government chief whip in the Eastern Region House of Assembly and chairman of the Eastern Region Development Corporation, charged Azikiwe with 'gross abuse of office and corruption' and tabled a motion in the House censuring his conduct as Premier in relation to the investment of public funds in the African Continental Bank; the motion was subsequently amended to call for the appointment of a commission of inquiry (see 303 and 367). This marked the public start of the controversy over Azikiwe's relationship with the African Continental Bank that led to the appointment of the Foster-Sutton Commission in July (370).]

*Mr. Evans*¹

I understand that at a recent meeting the Minister of State held with you and Mr. Williamson, it was agreed to try and seek discreetly some publicity in the U.K. Press for the present troubles of the Eastern Region Government.

It is now confirmed in the Nigerian Press that the Eastern House of Assembly will meet on the 22nd June to debate the motion put down by E.O. Eyo, the former Chief Whip to the N.C.N.C. and former Chairman of the Eastern Region Development Corporation, criticising Zik over the investment of £2m of public funds in the African Continental Bank, of which Zik was the founder.

The business of the meeting will also include consideration of a motion by B. C. Okwu calling for an independent commission of enquiry into allegations of corruption in the Eastern Region Development Corporation.

It would be useful if the 'Times' in particular could cover this meeting satisfactorily. I should think that there would be some fair news value in the accusations and counter-accusations which will no doubt be liberally hurled across the floor of the House.

The 'Times' coverage of the Western Region election of last month was pitiable. There were no reports on the election campaign at all, and the modest 'Times' report from Lagos of the result was under the heading *E. Region Elections*. Can we not get the premier organ of the U.K. Press to do rather better than this?

¹ CO press officer

356 CO 554/905, no 39

11 June 1956

[Constitutional conference]: letter from Sir J Robertson to C G

Eastwood on the draft brief for the constitutional conference on the structure of the federal government

[Extract]

I am writing to give you my comments on the Draft Brief on the Structure of the Federal Government which Williamson forwarded under cover of his Secret and Personal letter WAF. 16/57/09 of the 24th April. I have not yet had the comments of Sharwood-Smith but I have had those of Pleass (a copy of his letter to Williamson of the 3rd May) and of Rankine (his letter S. 40/23 of the 16th May copied to Williamson).¹ As I understand from Williamson that you are anxious to finalise these Briefs as early as possible, I am not delaying my reply until I receive Sharwood-Smith's views. If I may I should like to congratulate the writer of this brief on its lucidity. It is first class. The reference which I make in the following paragraphs refer to the paragraphs of the Brief.

2. *Paragraph 2.* I consider that the assumption that there is to be no fragmentation must be accepted as a sine qua non.

3. *Paragraphs 3–5.* While I agree with the summary of objectives there is much in what Rankine says in emphasising the 'retention of local goodwill'. I think that it is essential that the Secretary of State should not be drawn into agreeing, even tentatively, to any date for Nigerian independence. We wish to set Nigeria firmly upon its feet and we know that if Nigeria becomes independent too soon there is a real danger of collapse. If possible the Secretary of State should, while in no way disassociating himself or appearing to disassociate himself from Her Majesty's Government's established policy of self-government for dependent peoples, avoid even committing us to a definite date for a further review of the Constitution. I do not think that any harm will be done by emphasising the serious dangers to the whole machinery of Government which are posed by too frequent changes—it is largely a matter of digestion. We wish to hand over a well-greased machine but we must have time to ensure that it is in running order. I hope—though with some diffidence and doubt—that there is enough good sense and realism in enough of our political leaders to make this line not too unpalatable.

4. *Paragraphs 6–7.* I agree with both Pleass and Rankine that it will be most unwise to assume that there will be an Action Group/N.P.C. alliance or a serious attempt to present a common front in every respect against the N.C.N.C. It must be remembered on the one hand that in the Council of Ministers N.P.C. Ministers have worked not unsatisfactorily with N.C.N.C. Ministers and both have been on occasions surprisingly able to take, with considerable force, a Federal view in matters which have involved some conflict with the views of their own parties in the Regional Governments. And on the other hand, the Action Group although in power again in the West, have lost seats to the N.C.N.C. and Federally they are in a minority in that Region. I doubt myself whether the Action Group will be prepared to come home as a Party which has been seen to be pulling at one of Zik's coat-tails while the N.P.C. pull at the other. There may, therefore, be many N.C.N.C. claims which the Action Group,

¹ See 352.

although their ideas and aims are the clearest cut of the lot, can not allow themselves to appear to be slow in supporting.

5. *Paragraphs 8–12.* It is a nice point whether, as advocated in paragraph ten of the Brief, Regional self-government should be discussed before we come to the structure at the Centre and the question of the independence of Nigeria. As Grey said in paragraph 4 of his letter No. 247/Vol.II/533 of the 4th April to Williamson there is some merit in bringing Nigeria as a whole to the forefront and playing down Regional self-government as something already promised and about which it only remains to discuss the details. Pleass suggests that tactics might be dictated by what is known of the North's intentions. We know now that the North proposes to set 1959 for their own self-government and we can, therefore, take it that they will oppose Zik's claim for Nigerian independence now. On balance, I think that it might be best to let the question of Nigeria as a whole come up first. Whatever the maladministration of any Region in the past three years has been it is not going to affect the honouring of the undertaking of Regional self-government though it may affect the strings attached to it. I would therefore be inclined to settle the Centre first and then fit the Regional adjustments into the picture, but I doubt whether the advantage which might accrue from taking one before the other to suit Her Majesty's Government's tactics would outweigh the advantage of goodwill which might derive from following the order of discussion for which Delegations themselves may express a preference.

6. As regards the arguments against independence set out in paragraph 10, I agree with Pleass that (d) would not be a wise one to employ: the N.C.N.C. will hammer for a universal Electoral Law for all they are worth. I think myself that there would be no harm in stressing the really practical objections to independence now or in the immediate future. None of our leading politicians will really claim that Nigeria can run itself at present or for some time to come without a very great deal of outside assistance in the way of staff. It is surely a mockery of independence that it should be granted to a country which is dependent on outside resources of manpower to run its whole Government machine to anything more than a reasonably small degree. Try as hard as we can, it will be some years yet before the degree of outside help can be reduced to a level compatible with independence. After all Regional self-government and Nigerian independence are very different things.

7. *Paragraphs 11–12.* I refer you to my comment on paragraph three to five regarding the setting of dates if it can be avoided. The pace towards independence may well be dictated by the pace of the growth of strength at the Centre.

8. *Paragraphs 13–17.* I have not been advised by Sharwood-Smith of the suggestion at paragraph 14(a) that the North may seek representation in direct proportion to population (other than as a counter to a claim for equal Regional representation in a Second Chamber) but subject to his advice, I would expect the N.P.C. not to put this claim forward. If they do the N.C.N.C. will, I imagine, agree that there should be no artificial limitation of Regional representation such as at present restricts the North to 50% of the seats in the House of Representatives but that they will claim that representation should be directly proportional to the 'Electorate' rather than the population thus plugging again their demand for a universal Electoral Law which, of course, the North will not accept.

9. I have not heard of any proposals for reducing the size of the House of Representatives as suggested in paragraph 14(b).

10 *Paragraph 18–21*. I am impressed by Rankine's argument, from his experience in Barbados, in favour of a second chamber and I know that Sir Frederic Metcalfe is strongly in favour of one to give balance to the House of Representatives. We have to guard against—especially if we proceed to a Cabinet on more strictly Party lines at the Centre—excesses of a radical Party in power in the next few years. Second chambers are traditionally moderate and we may well need all the moderating influences that Nigeria can produce. I see no alternative to the suggestion made in paragraph 21(a) that Regional Members of the Senate (which I think is as good a name as any) should be elected by the Legislative Houses of the Regions—not by Regional Houses of Assembly alone as stated in the Brief. It would be difficult and cumbrous to impose yet another set of direct elections upon the electorate as a whole. . . .

357 CO 554/871, no 7

14 June 1956

[Regional self-government]: letter from C G Eastwood to Sir J Robertson urging delay in the date for self-government for the Northern Region

We have read with great interest the note on the background to the N.P.C. proposals for constitutional reform attached to savingram Personal No. 27 of the 6th June from the Governor North, which was repeated to you as No. 67.¹

I am writing not to comment on these proposals as a whole—this will be done in the relevant parts of the various briefs which are being drawn up for the September Conference—but to refer to what seems to us a likely incidental effect of the proclamation of 1959 as the date when the North expects to receive full Regional self-government.

In paragraphs 11 and 12 of our draft brief on the Structure of the Federal Government, we tried to deal with the question of the timing and procedure for further constitutional advance after the September Conference. At the 1953 Conference Mr. Lyttelton, to meet the demand for self-government in 1956, evolved the formula concerning Regional self-government in 1956 which will be worked out this September. It seems to us at least possible that if the N.P.C. come to the September Conference firm in the demand for self-government for the Northern Region in 1959, this will tend to be regarded by the other parties to the Conference as a convenient date for holding the next general review of the constitution, and when 1959 approaches very strong pressure will be exerted on the N.P.C. to combine with the southern parties to make it the date not just of Regional self-government in the North but of self-government for Nigeria as a whole.

It may well be that we cannot hope to improve on this position and that we must rest content that there is likely to be another general review in 1959 which will bring us very close at least to independence for Nigeria. But it is also possible that the N.P.C. have not realised the far-reaching effects which their demand for Regional self-government in 1959 may have. We wonder, therefore, whether there might be some advantage in you or Sharwood-Smith, whoever was better placed to do so,

¹ See 354.

putting this point to the Northern leaders and being ready, if they took it, to suggest to them that fixed dates generally carried pitfalls such as these, and that they might prefer to be less specific about the date, for instance by saying 'by about 1960'. Their own assessment contained in paragraph 4 of the enclosure to Sharwood-Smith's savingram of the readiness of the Northern element in the Public Service for Regional self-government by 1959 is sufficient justification for being less definite about the date.

This is a purely tactical proposal which you may conclude might entail greater risks than it justifies. We shall of course be content to accept your judgment on this.

I am copying this letter to Sharwood-Smith and the other Regional Governors.

358 CO 554/913

14 June 1956

[Southern Cameroons]: minute by D Timms on the financial implications of future political arrangements for the Southern Cameroons

[Extract]

[Under the 1954 constitution the Southern Cameroons had been separated from the Eastern Region and made a quasi-federal territory. This raised the issue of whether the promise of regional self-government made at the 1953 conference also applied to the Cameroons, given the need for UNO approval and given the difficult financial status of the territory and the consequent need for Federal support. Because of the latter factor, Robertson argued strongly for the need to resist regional self-government for the Southern Cameroons (CO 554/913, no 26, Robertson to Williamson, 25 Apr 1956).]

... Mr. Osborne¹ has prepared opposite largely from the information provided in (27), Annex B of the Southern Cameroons brief at (18). Mr. Osborne has written separately to Mr. Gardner-Brown requesting clarification of certain figures. Meanwhile we must consider the amendments to be made to the first draft brief in the light of (26) and (27).

2. We should start, I think, from these three basic points:—

(i) The present financial position of the Southern Cameroons is quite desperate (see, in particular, paragraphs 4 and 9(e)(i) of (26)).

(ii) Political and traditional leaders in the Southern Cameroons do not appear to recognise the serious implications of this financial position.

(iii) There is hope, widely held though by no means securely based, that given time and a little money the Southern Cameroons will become fairly prosperous.

3. On the basis of 2(i) and 2(ii) I would recommend as the first point in the brief that there should be no political changes which would, on balance, cost money. Our aim should be to maintain the present political set up, economising where possible, at least for the period of the present Federal financial guarantee, i.e. until 31.3.58.

4. Paragraphs 2(i) and 2(iii) above suggest that we ought to reconsider what is the long term objective for the Southern Cameroons. If the evidence now available had been available at the Lagos Conference it seems most unlikely that the Southern Cameroons would have got its separate administration. There now seems no chance of going back on that because I doubt whether there is any prospect of re-joining the Southern Cameroons with the Eastern Region. The alternatives seem to be:—

¹ K O H Osborne, higher executive officer, CO.

- (i) moving towards Regional status within the Federation of Nigeria in the hope that it will remain a part of the Federation;
- (ii) retaining the present special form of association with the Federation in order to preserve the Southern Cameroons 'option' to ultimate independence or association with the French Cameroons.

My belief is that the second alternative would lead inevitably to grants-in-aid from H.M.G. which may well be perpetual and without any conceivable benefit to H.M.G. I therefore conclude that it is in H.M.G.'s interest for the Southern Cameroons to move towards Regional status within the Federation; that would probably be also the best course for the Southern Cameroons since they would be unlikely to progress as rapidly or with as much freedom to run their own affairs under any other patronage. It may not be in the best interest of the Federation since they will have to pay for it, but the Federation may be induced to accept the position on the grounds of the Federal undertaking at the Lagos Conference and in the hope that the Southern Cameroons will, in fact, ultimately prosper (see paragraph 2(iii) above). If this recommendation is accepted it would be tactically advisable to make some move towards further integration at the September Conference. If the issue is left open for review, say until the expiration of the present Federal guarantee, and the Southern Cameroons' financial position is still then precarious, the Federation may reject any further responsibility for the Southern Cameroons, and the U.K. would probably have to provide grants-in-aid forthwith.

5. Political moves towards Regional status appear to be entirely precluded on financial grounds (see paragraph 3 above). The one move which may be possible and desirable is for the Southern Cameroons to be brought into the general system of Revenue Allocation. At present the Southern Cameroons receives back all revenue attributable to it, less a sum designed to meet the Southern Cameroons share of Federal expenditure. This sum is taken as 2.4% of total Federal recurrent expenditure; the 2.4% being the proportion which S. Cameroons population is assumed to bear to the whole population of the Federation. This fixed proportion leaves little over for the Southern Cameroons in a bad year and undoubtedly bears harder on the Southern Cameroons than, for example, does the arrangement which has been made for the Northern Cameroons. Under the normal revenue allocation system, the Southern Cameroons contribution towards Federal expenditure would vary with its revenues, being less in bad years than in good. I think it may well turn out that the Southern Cameroons would do better under the normal revenue allocation system. (Our decision on this should await the clarification of figures in (27) for which Mr. Osborne has asked and should be considered in the light of the undertaking to the Trusteeship Council for which Mr. Osborne is searching—see X in his 11/6). If the change were made the Southern Cameroons would probably still require help from the Federal Government for many years.

6. A point which may also have to be considered is the relation of Government to the Cameroons Development Corporation. It seems inequitable that the Corporation should be able to spend considerable sums on the welfare of its staff while it badgers Government for money to keep it going. This little kingdom is now being investigated independently, however, and a report on it should be available before the September Conference.

7. My conclusion is therefore:—

(i) that full Regional status within the Federation might be recognised as the ultimate aim for the Southern Cameroons (paragraphs 3 and X on page 4 of (27) suggest that this would satisfy the Southern Cameroons);

(ii) that on financial grounds no move towards Regional status could yet be contemplated except, perhaps, joining in the normal Regional Revenue Allocation system. ?now or in 1958/9). It would follow that there could be no question of a House of Chiefs, or an increase in elected members, or a separate judiciary. It would also probably be undesirable to concede an unofficial majority in EXCO until the financial position is better.

8. I don't know what the 'exploratory conference' is referred to in paragraph 9 of (26) but if it has any bearing on the September Constitutional Conference we should put the above ideas, if accepted, to the Governor General forthwith.

359 CO 554/1182, no 126 16 June 1956
 [Constitutional conference]: inward savingram no 16 from T B
 Williamson to Mr Lennox-Boyd on his meeting with Dr Azikiwe to
 discuss the forthcoming constitutional conference [Extract]

At Premier's request and on Governor's advice I had an hour's talk alone with the Premier this morning.¹

2. The discussion was quiet and amicable, but Dr. Azikiwe seemed worried.

3. He first tackled me on the question of the continued unity of Nigeria. He said the other two Regions seemed to be determined to go their own ways, and if they persisted in their present courses the East might be compelled to go its own way too, though the N.C.N.C. had always stood for one Nigeria. He asked whether I had any comments or advice.

4. In reply I referred him to the exact words of paragraph 28 of the London (1953) Conference Report, and emphasised in particular the concluding words of that paragraph.² I reminded him that during your visit here eighteen months ago you had said publicly that H.M.G. stood by that paragraph, and I assured him that there had been no change in H.M.G.'s attitude. We still firmly believed that it was in the best interests of all the peoples of Nigeria that the unity of the Federation should be preserved. I also reminded him of what The Queen had said in Her farewell broadcast and on other occasions during Her visit.

5. Dr. Azikiwe then tackled me on the question of revenue allocation. Briefly his point was that if the West and the North were to continue to insist on the principle of

¹ Williamson visited Nigeria in mid-1956.

² Paragraph 28 covered the issue of self-government by 1956. The final sentence read: 'The Conference eventually accepted a declaration of policy that in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the regional Governments should not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible', *Report by the Conference on the Nigerian Constitution, held in London in July and August 1953* (Cmd 8934).

derivation, the East would then 'regionalise everything', including minerals. As the Federal Government had refused to impose a royalty on coal, the proceeds from which would go to the Eastern Region, the East had decided to impose a purchase tax of £2 a ton on coal.

6. I said that it would be improper for me to discuss, in advance of the Conference, matters which were clearly for discussion in full Conference. I took note of what he said and promised to report his views. For the rest I suggested that matters of this kind, which were clearly of concern to all the Governments in the Federation, should be discussed in the National Economic Council.

7. Incidentally, I gathered subsequently that the question of a royalty on coal is to be discussed here next week with the Acting Financial Secretary of the Federation and the Federal Minister of Mines and Power.

8. Finally, Dr. Azikiwe referred to the necessity for a uniform electoral law and expatiated at some length on the subject. He said that he realised that the North could not be expected to agree to the enfranchisement of women immediately, and his main concern seemed to be against the residential qualifications imposed on non-natives of the Western and Northern Regions. I refrained from comment, except to say that clearly this would be a matter to be discussed in September.

9. Later I was invited to attend a meeting of Executive Council, when much of the same ground was traversed. Reference was also made to attacks on the Eastern Region in the British Press, and to the position of Civil Servants. The Governor and I emphasised that the Press in England was free, and that no one need take it too seriously.

10. On H.M.O.C.S., I explained briefly that you for your part had gone a very long way in trying to solve the problem, and that the U.K. Government had now undertaken certain considerable obligations in order to help Nigeria to retain and recruit expatriate officers. . . .

360 CO 554/871, no 13E 18 June 1956
 [Regional self-government]: letter from Sir B Sharwood-Smith to Sir
 J Robertson on the need to accept the proposed date for self-
 government for the Northern Region

Please refer to Eastwood's Secret and personal letter No. WAF 16/3/035 of 14th June, copied to Regional Governors.¹

While fully aware of the danger of set dates, I must record my view that the N.P.C. has only decided to take the plunge and declare for a fixed date for Regional Self-Government, i.e. 1959, after prolonged heart-searching, and a long series of discussions. To my mind it would be most unwise of us to attempt to persuade them to go back on this decision, a course which could be political suicide.

Very naturally the other political parties will seize on this date for their own ends and Zik at least will, I imagine, press for Self-Government for the Federation as part

¹ See 357.

of the same operation. In my considered opinion, however, there is not the slightest chance of the North being moved, however great the pressure. In fact the greater the pressure in favour of what the North considers premature Self-Government for the Federation, and premature in Northern minds means any fixed date within the foreseeable future, the greater the danger of the North thinking in terms of secession, whatever the cost. To my mind, the longer the Federation remains dependent, the greater its chances of survival. The more the peoples of each Region come to appreciate their inter-dependence, the more likelihood there is of their Governments thinking more about the bonds that unite and less about the bonds that chafe.

I am copying this letter to Eastwood and the other Regional Governors.

361 CO 554/1078, no 56 18 June 1956
 [Local government]: letter from Sir B Sharwood-Smith to T B
 Williamson on plans to reform the provincial administration in the
 Northern Region

I write to tell you about our plans for the redeployment of the Provincial Administration within the Provinces, a matter on which we touched during your recent visit to Kaduna. In brief, we intend, now, while we still have sufficient administrative staff and while the political climate is equable, a major act of policy to anticipate events by changing the role of Divisional officers from that of 'District Officer in charge of X Division' to the dual role of resident adviser to the Native Authorities within the area of the same Divisions, and resident representative of the Regional Government, in both instances under the overall authority of the Resident of the Province. We do not mean to dispense with Divisions as units of territory, they are too useful for topographical description, electoral areas and many other purposes. Secondly, as a logical consequence of the above step, to free District Officers and, of course, Assistant District Officers serving under them from a high proportion of the routine which now clogs their activities, thereby enabling them to tour more, especially in the more rural areas, thus regaining as friends and advisers that contact with the mass of the people which, owing to force of circumstance, has either progressively diminished, or virtually ceased to exist in the course of the past seventeen years.

2. The implementation of this policy, which carries the enthusiastic support of Ministers, will result, broadly speaking, in the closing down of a large number of Divisional Offices and the amalgamation of most of the remainder with the Central Offices of the local Native Authorities. Direct and complete responsibility will then be placed upon the Native Authorities themselves for the management of their affairs. They will no longer be able to blame the District Officer either for interference, or for failure to do those things which they are competent and constrained to do themselves. The District Officer will still be there, but far more in his old Lugardian role than at present. He will, as it were, be above the battle except at times of crisis, and not on the battle field which has increasingly tended to be the case in recent times, often to the prejudice of harmonious relationships.

3. This new system, apart from modifying relationships between the District

Officer and the Native Authority from that of, at worst 'policeman' to that of 'consultant physician', will enable him to do far more than has hitherto been possible in encouraging and enlivening the District and Village Councils, which, we trust, aided by the Enlightenment Campaign will more rapidly develop into a bulwark against exploitation or oppression by unprincipled groups of individuals in the higher ranks of the political or administrative hierarchy.

4. I referred earlier in this letter to the dual role of the District Officer. Although no longer in administrative charge of his Division, he will, of course, still be responsible and have appropriate powers in his capacity as the representative of the Regional Government, to deal with emergencies and in particular, threats, or actual outbreaks of public disorder. He will remain the eyes and ears of both the Regional Government as a whole and of individual Ministries as appropriate. He will also, in this capacity retain his existing responsibility as presiding genius over all Government staff posted within the area over which he operates.

5. The policy outlined has been under consideration for some time. It is, of course, closely connected with, and complementary to, our plans for Provincial Devolution.¹ It can, however, be implemented quite independently of Provincial Devolution and we are already going ahead with the first stages. We fully recognise the difficulties which we shall have to face and the inevitable decline in efficiency and the danger of local scandals and breakdowns. We realise, on the other hand, that unless we embark upon a deliberate and controlled operation now in an atmosphere of harmony, we shall be faced by 1959 with a surgical operation from which the patient is unlikely fully to recover and which will also involve the dismissal of the surgeon.

6. Our distant objective is to try to ensure that the new model District Officer, who we expect will be termed Assistant Resident as in the days of Lugard, will prove so popular and necessary as an institution amongst all classes, that his continuance as a feature of the life of the country will be ensured by public demand in the years after self-government. I need hardly dilate on the political and practical advantages of such a development.

7. I do not think you will wish me to go into greater detail at this stage. We shall look forward to discussing our plans informally with Hudson when he arrives, quite apart from matters concerning his specific mission.² In brief, it is our hope that the new model administrative officer operating in the new model Province will 'beat the clock' and secure the continuance of our influence in this Region for many years after the advent of self-government, to the lasting advantage of its peoples and indeed, of the Commonwealth as a whole.

¹ This refers to Sharwood-Smith's 'twelve pillars policy' of devolving power to the provincial level, which he saw as essential if the North was to remain united. The importance of this he spelt out earlier in 1956 'I have always felt, and still most strongly feel, that a united, sane and confident North is essential to the Federation. Equally, an apprehensive and resentful North baited by externally sponsored minority organisations, could be capable of political acts of desperation, the effects of which would be disastrous for Nigeria' (CO 554/1078, no 33, Sharwood-Smith to Williamson, 20 Feb 1956). See also 306 and 372.

² R S Hudson, head of the African Studies Branch of the CO, 1949-61, was appointed by the Northern Region government in 1956 to examine the future development of local government in the North as part of the broader policy of encouraging devolution in the region. His report was published in Feb 1957, R S Hudson, *Commission Appointed to Advise the Government on Devolution of Powers to Provinces: Report by the Commissioner R S Hudson* (Kaduna, 1957).

362 CO 554/1031, no 86

22 June 1956

**[Control of police]: letter (reply) from Sir J Robertson to Sir T Lloyd
on the need to retain the police under federal control**

I said in my letter No. 185/210 of the 3rd May to Williamson, that I would reply later to your letter of the 25th April¹ on the subject of the future of the Nigeria Police Force.

I have now had the views of the Regional Governors on my letter to Williamson, as read with the copies that they received of your letter to me (copies of their replies to me went to Williamson, with the exception of that of Pleass, of which I now enclose² a copy): I have also had discussions with Williamson himself both at the beginning and end of his time here, and when the Governors were here in the second week of June we gave the matter full consideration. I feel, therefore, that I should now give you what, with the proviso to which I refer in the penultimate paragraph of this letter, is my final considered view before I go on leave so that your people may proceed to prepare the Brief for the Conference.

That the Action Group and the Northern Peoples' Congress will fight hard for regionalisation of the Police at the Conference, I think we can take for granted. On present indication the N.C.N.C. will oppose this. I attach a copy of an extract from a recent Special Branch Report regarding Awolowo's intentions with regard to the Police which are illuminating. The report is not yet assessed and I understand that Rankine will not be able to assess it until his Executive Council proceed formally to consider the proposals set out in Rotimi Williams' memorandum, but subject to that assessment, the Report does indicate that the operational control and the reserve powers over the Police which the Party propose to leave with the Governor are going to prove rather a threadbare concession and that it is their intention that political control of the Police shall predominate. In this respect, I do not think we can entirely overlook the embryonic tendency of the Action Group to develop Party organisations on black shirt lines.

I understood from Sharwood-Smith when he was here that the underlying motive behind the N.P.C.'s wish to regionalise now was apprehension of the time when eventually the Police would come under a Nigerian Federal Minister. It seems to me, and it seemed, I think, to us all when we were discussing the matter here that to accept the principle that the passing of authority at the Centre to Nigerian hands was an excuse to regionalise that authority, was tantamount to admitting that Nigeria as an entity must cease to exist upon achieving independence. What, for instance, on that basis is to happen to the Military Forces when we have a Nigerian Minister of Defence? Are they to be split as North, West and East Armies?

Events in the last three months have emphasised my feeling that to retain the Police under Federal control is essential if we are to fulfil our responsibility for law and order throughout the Federation. In April, when there were riots at Bansa in the Cameroons I was able within 24 hours to have essential Police reinforcements on the spot from the Eastern Region. Last month, during the Western Region election campaign I was able to send to that Region all the reinforcements in men and equipment which Rankine and his Regional Commissioner required—200 men,

¹ See 349.

² Enclosures not printed.

additional transport and wireless cars, some from the Central Division and some from the East. I cannot think that if the Police had been regionalised, even allowing for the overall powers which the Action Group propose should still vest in the Governor-General, I would have found either manoeuvre easy or even possible. I doubt very much whether the Cameroons would have welcomed reinforcements which owed their loyalty to the Eastern Government. I doubt still more whether the Action Group Government in the West would have welcomed assistance which came either from the East or from the Federal Territory of Lagos. It has, also during the last few months, always been possible that large scale Police operations might become necessary in the East both in relation to opposition to that Government's Finance Law and to assist in Opobo in the collection of arrears of rates and taxes. If that had been necessary, I think that reinforcements from outside the East would have been essential, but I cannot think that the Government of the West would not have resisted the despatch of units of their Force to assist in carrying out the policy of the N.C.N.C. Government in the East, or, on the other side of the coin, that the Eastern Government would have trusted with this duty Police who owed loyalty to an Action Group Government.

We thrashed the whole thing out at length when the Governors were here and we all agreed that Regionalisation must be resisted. We agreed too, as we did last October, that we must make the devolution of control an evident reality.

Bovell has now arrived and I have discussed the matter fully with him.³ He is off to the North and is going to the West next week and on my instructions will spend his first month travelling extensively in the Regions. I have told him when he has had time to make up his mind to let Grey have in writing his considered opinion of the extent to which devolution can be further implemented and the extent to which it can be written into the Constitution. Subject to any views he may have, and that is the proviso to which I referred at the beginning of this letter, I am still of the opinion which I expressed in my letter to Williamson and, more especially, I hold to the view that to regionalise the Police would be a risk which I would not wish taken so long as I am ultimately responsible to the Secretary of State for the maintenance of law and order in Nigeria.

I am sending copies of this letter to Regional Governors.

³ The new inspector-general of police, C S K Bovell, was appointed in 1956 (322). He was a strong opponent of the regionalisation of the force.

363 CO 554/1159, no 17

26 June 1956

[Political situation]: despatch no 43 from Sir J Robertson to Mr Lennox-Boyd on the Royal tour, the Northern Region and the announcement of changes to HMOCS

[Extract]

... 5. It is difficult to assess what will be the long term effects of the Royal Visit.¹ That they will be wholly good is unquestionable but they are not easy to define. The effects outside Nigeria are easier to see—the publicity (of the right kind), the

¹ See 345.

affection shown to the Queen, the clearly expressed loyalty of millions of strange Africans of whose existence so many people in England have been practically unaware; all this must do a great deal to strengthen the knowledge of and broaden the message of the Commonwealth and provide an answer to Communist accusations. But in Nigeria itself there is no such clear effect. As I said above, the temporary political truce did not long survive Her Majesty's departure, and the spirit of Nigerian unity so clearly seen during the visit seems now to have virtually disappeared. It is probably in the hearts and minds of the ordinary people that the visit will have had its greatest effects and indeed a large number of spontaneous and varied requests are being made for the use of Her Majesty's name to commemorate the visit in public buildings, roads and hospitals. . . .

Within its own ranks the North is not greatly at ease. The old feudal powers of the Emirs are still strong but there has arisen a formidable body of more liberal thought, not of the blood royal, but of the middle classes. But even this latter class still thinks quite differently from the Southern politician and its distrust of the South is possibly greater than that of the Emirs who merely feel contempt. Finally, as in all Moslem countries, there is the strong pull of their religion to look abroad to their fellow Moslems. We can certainly anticipate greatly increased activities from Egypt directed to weaken the link between the North and the Federation and though, so far, I am not unduly worried, there is writing on the wall. Scholarships to Al Azhar University² have been offered, invitations for visits, greater co-operation and assistance in regard to pilgrims and only a few days ago an invitation from Colonel Nasser to the Sardauna that the latter should send the former a congratulatory message on the withdrawal of the last British troops from Egypt.³

13. The situation is not easy and the remedies are hard to find. Everything possible is being done in the North to hasten the production of an educated class for local administrative duties: plans are being made (and Mr. Hudson will shortly visit the Region for the purpose) to devolve and decentralize authority to twelve Provincial Councils: District Officers are being slowly withdrawn from direct interference with local government and established more as consultants and advisers. But it may be that the problem of the North is beyond the scope of Nigeria alone. It is a world problem and continued participation by the North in the Federation is not contingent only on her treatment by the South and by the Federation but also on world events and inclinations of Moslems everywhere. The North will, I believe, stay in the Federation just so long as she wishes to stay in close association with the Commonwealth, and she will be strongly influenced in this wish by the attitude of the British and the Western Powers to Moslems everywhere. . . .

19. I should like to end this Despatch by recording some views on the Civil Service. For a country approaching self government, even if only for the two Southern Regions, Nigeria appeared to me coming from the Sudan to be lamentably backward in the proportion of indigenous Nigerian officers in the higher grades of the Civil Service. A few Nigerian senior civil servants there are, but in all the Services except the Medical it is an exception to find Nigerians holding really senior appointments. It is, however, true that the scarcity of Nigerians in the Civil Service

² Al-Azhar University, Cairo. See 119.

³ Following the Anglo-Egyptian agreement of Oct 1954 the last British troops left the Canal Zone in June 1956; BDEEP series B, vol 4, J Kent ed, *Egypt and the defence of the Middle East* part III (London, 1998) 554.

higher posts has resulted in there being many more educated and intelligent Nigerians outside the Civil Service than there were in the Sudan, and this has led to there being greater numbers of suitable persons available for commerce, the law, and for political life. I have tried to speed up the training of Nigerians for the Civil Service, and a review of Federal training schemes has been carried out. A special 'Nigerianisation' officer is to be appointed, and he will be responsible for pushing ahead with training; for reviewing the field of Nigerian candidates for appointment to senior posts; for preparing plans for 'Nigerianisation' in conjunction with the Departments and the Ministries; and for encouraging 'Nigerianisation' throughout the Service. Schemes for producing cadet police officers and Governor-General's commissioned officers in the Nigerian armed forces are under consideration. A great deal remains to be done and, as I will show in succeeding paragraphs, the time at our disposal is all too short.

20. The political problems and situations which I discussed earlier, have had their effects on the Civil Service as a whole, though these have not been so damaging in case of indigenous officers as in that of the expatriates. The division of a unitary Nigerian service into a Federal and three Regional services has now been practically completed and only a few officers have not now become permanencies in one of the four Civil Services. The failure of the four Governments to adopt uniform decisions on the recent report of the Salary Commission, and on the grading of various posts, has led to serious anomalies, and men who are doing similar jobs, and who two years ago were on similar terms of service, now find themselves on different salaries and allowances. A further difference arose from the fact that officers in the Eastern and Western Regions, who retired after October, 1954, received pensions at a higher rate than those retiring from the Northern and Federal Services. Both these results of the new constitution have led to bitterness and jealousies between the Services, and have increased the already serious deterioration in Service morale. Proposals by the politicians for the future regionalisation of other Federal services, such as the Police, have not improved the situation.

21. Among indigenous officials the main fear, based on tendencies which have already appeared, is that security in their appointments and prospects of promotion may in the future depend on the whims of a Minister, or on the official's adoption of a certain political point of view. This fear has been augmented by declarations by political leaders that they must have 'control of the Civil Service' and their efforts to nullify if possible the neutrality of the Public Service Commissions. It is, I think, an undoubted fact that the great bulk of the Nigerians in the Civil Service do not expect to obtain as fair terms of service from the indigenous governments of the future as they have received in the past. They realise that with self government they will have rosy hopes of promotion, as expatriate officials leave or are dispensed with, but they fear that such promotions may well depend upon favouritism and jobbery.

22. The expatriate staff have generally adapted themselves satisfactorily to the working of a Ministerial system. I have on occasion marvelled at the way most of them have subordinated themselves to a form of Government so very different from that which they expected to serve. On the whole they have done excellently. I cannot, however, pretend that their morale has not suffered, and that many of them are not anxious and worried about the future. The political leaders from time to time make pronouncements assuring them of fair treatment and of the need for them to remain and that the Nigerian Governments wish them to remain; but from day to day there

are pinpricks and frustrations. Advice is given to Ministers and not taken, or apparently given scant consideration and policies adopted which are far from sound. They have often to close their eyes to actions which appear wrong or dishonest. Perhaps the officers working in the Ministries, or as private secretaries to Ministers, have the hardest time, and certainly the burden falls heaviest on the administrative cadre. Many of these hanker for the district work which they came out to do, and are not temperamentally suited for work in Ministries.

23. The broadcast in February by Her Majesty the Queen and the announcement of a new H.M.O.C.S.⁴ have helped some officers in their perplexities; but I cannot say that morale has really been restored or that many officers will not take the chance of retiring with lump sum compensation rather than of joining H.M.O.C.S. when self government comes. The opportunity of getting a nice capital sum and of being able to go home and settle down to a more permanent and assured career, weighs very heavily with those who have family obligations and must think seriously about the education of young children. The fact that there is full employment in the United Kingdom and that they can expect to obtain reasonably congenial appointments there, is also an important factor. I should not like therefore to be too optimistic about the effect of the new H.M.O.C.S. scheme yet: had it appeared two years ago many might have jumped at it: but lump sum compensation now seems so near that I fear the proposals may have come too late in many cases. . . .

⁴ BDEEP series A, vol 3, D Goldsworthy, ed, *The conservative government and the end of empire 1951-1957* part II, 242.

364 CO 554/1161, no 11

4 July 1956

[Public service]: despatch no 35 from Sir B Sharwood-Smith to Mr Lennox-Boyd reviewing the position of the public service in the Northern Region

[Extract]

. . . 13. The Morale of the Service as a whole remains good, but it is a little early to dogmatise as to the effects of the new proposals for Her Majesty's Overseas Civil Service.¹ While it is claimed that, as far as the East and the West are concerned, they have come too late to be fully effective, in the North they have come just in time.

14. There is no doubt about the strength of feeling of Ministers, and of Chiefs, on the necessity for retention of overseas staff, a feeling which has been fully reflected, for that matter, in the Legislature. The Premier, before leaving on the Pilgrimage, with characteristic generosity, was good enough to give a farewell reception to me on the occasion of my impending departure on leave, to which he invited some two hundred guests including all senior officials in Kaduna.² He took the opportunity at the reception of giving an assurance to the Service in the course of which he said:—

‘It is therefore most important that I should, from time to time, repeat the assurances which I have given in the past. Overseas officers are urgently required for service in this Region. They are not only *urgently required*; they are welcome . . . *very welcome*. They need have no fear or feeling of insecurity

¹ See 366.

² The Sardauna undertook the *hajj* (pilgrimage) for the first time in August 1955, again in 1956 and a number of times thereafter.

with regard to their futures. Their futures are absolutely safeguarded, both by the Northern Region Government and by the Government of the United Kingdom. Fair treatment is guaranteed. There will continue to be *absolute* protection from discrimination under the present constitution, under the next constitution and after 1959. I can guarantee this because I know that we will not be able to maintain, let alone improve, our present rate of progress, if we cannot offer suitable terms of service to the overseas officers which we need. . . .

I have spoken to you tonight not just as Premier of the Northern Region, but rather as a host who has called his friends to his house—friends with whom he shares common interests at heart—to assure them of his continued trust in them and respect for them. . . .’

18. Division Offices are to be progressively closed down as soon as practicable, and this will enable the administrative staff to devote far more of their time than has been possible for many years to touring, thus acquiring a more intimate knowledge of the country and its people as they guide and assist the District and Village Councils and rural and urban communities in general. We hope that, as a result of these policies, the ‘New Model’ administrative officer operating within the ‘New Model’ Province will become so accepted as a feature of the landscape that there will be a public demand for his services up to, and far beyond, the date of Regional Self-Government. All but the most extreme earnestly desire the British administrative officer to remain as the counsellor of the rulers and the guardian of the peoples’ liberties while the political responsibility passes into African hands.

19. The principal leaders of the N.P.C. have all increased in stature and in moderation of outlook. A strain of idealism, shorn of fanaticism, is often evident in their approach to plans for the future of the North, though they are as determined as ever to press forward with their policy of Northernisation, a policy which is sometimes unfairly described as xenophobia, but which, in fact, is inspired by the knowledge that, only by Herculean efforts in training Northern men and women for positions of responsibility at all levels, can they hope to survive when the time comes that they must accept Regional Self-Government. They have particularly been gratified by official initiative in appointing the first locally born administrative officers in the Region, by the welcome accorded by Residents to this course, and by the care and thought that I and my official advisers have given to the posting of these young men. Whatever role they may play in the future organisation of the Region, it is the hope of the Service that they will absorb and perpetuate its traditions. . . .

41. Inter-racial tension has abated in recent months, except as a by-product of the Northernisation campaign which is frequently misunderstood, and as frequently misrepresented, particularly by the Press. It would be a surprising thing if the North were to acquiesce in a position where ninety percent of posts at all levels are filled by persons from outside the Region; still less can its leaders permit a situation to persist which could exclude permanently qualified local men and women, who at long last have sufficiently interested themselves in education as to attain these qualifications.

42. Despite the present lull, it has always to be remembered that dormant dislike and even hatred of the Ibo, engendered during recent decades, is endemic in the North, and by no means the Moslem North alone. Aggressive exploitation and humiliation in earlier years, particularly in the economic field is, as has often been stressed, the main underlying cause. . . .

365 CO 554/1126, no 105

5 July 1956

[African Continental Bank affair]: CO note of a meeting with Sir J Robertson to discuss the reaction to Mr Eyo's allegations concerning Dr Azikiwe¹

[The tabling of the motion in the Eastern House in April 1956 by E O Eyo criticising Azikiwe's behaviour in the African Continental Bank affair (355) led to a major crisis in the Eastern Region and more broadly across the Federation. Eyo's charges referred to the transfer of funds from the Eastern Region Marketing Board to the Eastern Region Finance Corporation; the Finance Corporation then purchased shares in the African Continental Bank, appointed it as its banker and urged its customers to make deposits in it. The bank however, was largely owned by Azikiwe and his family and was in a somewhat parlous financial situation, having been refused a banking licence in 1953 under the 1952 Federal Banking Ordinance because its liquidity ratio was below the required level; in some views it was technically insolvent (317). Throughout, Azikiwe argued that the actions of the Corporation were fully in conformity with the publicly stated NCNC policy to circumvent the expatriate banking monopoly in the region. Moreover, on becoming minister of local government in 1954, he had declared his interest in the bank and appointed an agent to act in his place as chairman and director. Azikiwe launched a libel suit against Eyo concerning his allegations. For the CO, the position of the bank had caused concern for some time (303) and informal investigations in London to establish what happened to the bank's funds were initiated in this period. For officials the problem caused by the affair was acute, not least given the impending constitutional conference due to be held in London in Sept 1956 to consider regional self-government.]

(1) The meeting was called to consider what action, if any, should be taken in respect of the situation in the Eastern Region created by the allegations made by Mr. E.O. Eyo concerning the relationship between the Premier of the Eastern Region and the African Continental Bank.

(2) In reply to *the Secretary of State, the Governor-General* said that although there were obvious disadvantages in holding a Commission of Enquiry into the relationship between Dr. Azikiwe and the African Continental Bank there was probably no other way to probe the serious allegation, now made against him by his former friend Mr. Eyo. In these circumstances it seemed right to appoint a Commission if this could legally be done and he would advise that a Commission should be appointed. It was necessary to foster a healthy public opinion in Nigeria and the decent Africans of whom there were many would be encouraged by the appointment of a Commission to enquire into Dr. Azikiwe's activities.

(3) In the course of a general discussion the following points were made:—

(a) *The effectiveness of any Commission of Enquiry that might be appointed*

It was pointed out that three years ago there had been an expert enquiry into the affairs of the National Bank of Nigeria and although it had seemed likely that a serious state of affairs would be revealed the enquirers could find little. But this enquiry had done much to encourage better banking practices in Nigeria and both the National Bank and it was believed the African Continental Bank had since taken on experienced overseas staff in an endeavour to observe proper banking practice. In the present case there was probably no greater likelihood of any Commission being able to bring in findings against Dr. Azikiwe such as might result in criminal proceedings. It was noted that there had already been difficulty

¹ Present at the meeting were the entire senior ranks of the CO: Lennox-Boyd, Hare, Lord Lloyd, Sir T Lloyd, Macpherson, Roberts-Wray, Eastwood, Galsworthy, Williamson and others.

in getting at some of the papers relating to the Bank through the Registrar of Companies who was a friend of Dr. Azikiwe and apparently kept the Bank's papers in his private safe.

(b) *The advantages of appointing a Commission*

It was likely that even though a Commission found the Premier guilty of conduct unbecoming to a Minister this would lose him little support in the Eastern Region and he would still probably be returned there at another election. The appointment of a Commission might therefore do nothing more than antagonise the Premier without effectively discrediting him. In the Gold Coast it looked as though the findings of the enquiry into the Cocoa Purchasing Company would be adverse to the Prime Minister but this was not likely to affect his hold on public opinion. But this was only the short term view; in the long run there was advantage in trying to maintain standards of conduct which might at the moment be higher than local public opinion would expect. But it should be made clear that any action taken was not from vindictive motives and would not be used as an excuse by H.M.G. for avoiding its promise of granting Regional self-government.

(c) *The relationship of any Commission of Enquiry with the libel action instituted by Dr. Azikiwe*

The speaker of the Eastern House of Assembly had already ruled that Mr. Eyo's motion on this subject could not be debated as the libel action instituted by the Premier had made the matter sub judice. Similarly it was possible that a Commission of Enquiry could not be appointed until the libel action was concluded as it might prejudice that action. The Attorney General here should be consulted on this point before any Commission was appointed. Sir Ralph Grey had urged that the matter should be left to be resolved one way or the other by the libel action but it could not be known how long completion of this action would take and speed was essential if the matter was to be disposed of before the September Conference or without such a long postponement of the conference as would antagonise Chief Awolowo.

(d) *The effect of appointing a Commission on Nigerian opinion*

It was possible that the Premier and Ministers in the Eastern Region might decline to cooperate in the processes of Government there if such a Commission were appointed, particularly if it were appointed by the Governor, whom they had advised against this course. If the Ministers resigned and an election were held, they would probably be returned, so that Government in the East could not easily be carried on against their wishes under the present Constitution Order. Similarly it was possible that the N.C.N.C. Ministers on the Federal Council of Ministers might resign if the Commission were appointed by the Governor-General. On the other hand the Action Group would probably be initially pleased to see Dr. Azikiwe in trouble and the appointment of a Commission would meet the demand of the Opposition in the East.

(e) *The effect of a Commission on the constitutional conference*

It would be difficult to permit Dr. Azikiwe to attend the Conference whilst these allegations against him remained. It therefore seemed desirable to have the allegations cleared up as quickly as possible by the appointment of a Commission. Even this would probably involve some postponement of the Conference. The West

would probably accept a short postponement with little demur but if the postponement became prolonged they would probably press for Regional self-government to be granted to them forthwith, whether or not a full scale Constitutional Conference were to be held.

(f) *The composition and procedure of any Commission*

It had been suggested that the membership of a Commission might be Sir Henley Coussey as Chairman, Sir Maxine de Comarmond and perhaps the Chief Justices either of the Eastern or the Northern High Courts, although objections might be raised to both of these. It would probably be desirable to have either a banker or an accountant experienced in banking matters with the Commission, and the present Bank of England advice was that it would be best to appoint an accountant to assist in the preparation of the case and to act as an expert witness on banking matters before the Commission. The Bank of England would be able to advise on firms of accountants who might be approached to help in this way. It would be necessary for the case to be fully prepared before the Commission sat. Whoever was to present the case before the Commission, preparation of it could begin forthwith under the guidance of the Federal Attorney General.

(4) *The Secretary of State* said that it was desirable that the matter should be cleared up before the Constitutional Conference met, preferably by means of a Commission of Enquiry appointed by himself. He asked that the Attorney General should be consulted as quickly as possible about the possibility of appointing such a Commission before the libel action was concluded, and said that he would await the further letter promised by Sir C. Pleass before reaching a final conclusion. Sir C. Pleass should be given preliminary warning of this provisional decision.

366 CO 554/1008, no 84

11 July 1956

[Public service]: despatch no 1450 from Mr Lennox-Boyd to Sir J Robertson on the compensation scheme for the public service

I have the honour to address you in connection with the forthcoming Constitutional Conference on the subject of compensation for certain categories of public servants.

2. I have been informed by the Government of the Western Region that they propose to ask at the Conference for the implementation for that Region of the promise by Her Majesty's Government contained in paragraph 28 of the London Conference Report (Cmd.8934)¹ to grant to those Regions which desire it full self-government in respect of all matters within their competence, with the proviso contained in that paragraph. I understand that in public speeches the Premier of the Eastern Region has stated that his Government intend to raise at the Conference the question of self-government for Nigeria as a whole and I presume from this that his Government will also wish to ask for the grant of Regional self-government to the Eastern Region.

3. It was accepted at the London Conference (paragraphs 22 and 29 of Cmd.

¹ *Report by the Conference on the Nigerian Constitution, held in London in July and August 1953* (London, 1953) Cmd 8934.

8934) that the grant of Regional self-government would involve alterations in the conditions of service of the Public Services of the Regions which became self-governing, so that certain categories of public servants would become entitled to compensation in respect of these altered conditions of service. The position was set out specifically in paragraph 29 of the Lagos Conference Report (Cmd. 9059)²:—

‘29. On the attainment of Regional self-government by any Region it would be necessary for the Government of that Region to introduce and accept financial responsibility for a full lump sum compensation scheme under which overseas pensionable officers in the service of that Government at the time would immediately acquire a continuing option to leave with a lump sum payment in addition to accrued pension as an alternative (at the option of the officer) to accrued pension plus an additional allowance.’

4. It will also no doubt be agreed that the same entitlement should apply to African pensionable officers for whom I am responsible, not as of right but subject to the conditions agreed at the Lagos Conference (paragraph 32 of Cmd. 9059) in relation to the retirement provisions then decided upon.

5. Her Majesty’s Government are concerned to ensure that satisfactory arrangements for compensation are made, first because of their obligations to pensionable overseas officers and to all officers appointed by the Secretary of State, and secondly because of the proposal on which I am addressing you separately that pensionable overseas officers might be given the option of joining a Special List of H.M.O.C.S. and that half of any compensation due, in the event that they cannot be employed until they reach the age of 50, to those joining the List would fall, on their ultimate retirement, to be met by Her Majesty’s Government.

6. The Government of the Western Region have expressed to me the wish that the arrangements for the granting of Regional self-government should be completed as early as possible after the conclusion of the September Conference. I am anxious that there should be no suggestion that Regional self-government is being held up through delay in completing the arrangements for a lump sum compensation scheme for the Public Services. I am therefore addressing you on the basic requirements of such a scheme and have taken the preliminary steps mentioned in paragraph 9 below.

7. In the first place I should make it clear that there can be no exact calculation of what would constitute fair compensation in any particular case and that the drawing up of acceptable proposals must in the last analysis be a matter of judgment and for negotiation. While an estimate of the value of an officer’s future career can be computed actuarially with reasonable exactness, no similar computation can be made of other relevant factors such as the value of his prospects of alternative employment after retirement or differences in costs of living and living conditions between Nigeria and the country to which he retires.

8. It will be necessary to decide the following main features of a compensation scheme:—

- (a) the minimum length of service qualifying for compensation (in the Gold Coast: three years);

² Report by the Resumed Conference on the Nigerian Constitution, held in Lagos in January and February 1954 (London, 1954) Cmd 9059.

- (b) the extent to which length of service above the minimum should be taken into account in computing lump sum compensation (Gold Coast; up to ten years);
- (c) the maximum lump sum compensation payable (Gold Coast: £8,000);
- (d) the age above which compensation will not be granted (Gold Coast: 53 years);
- (e) the extent to which the normal retirement provisions of the Pensions Ordinance might be modified in connection with the scheme.

9. Once these features have been determined, it would be primarily an actuarial matter to prepare a table showing as a multiple of their present pensionable emoluments the compensation appropriate to individual officers according to their age and length of service. On the assumption that you would wish his assistance, I have already asked the Government Actuary to do what preliminary work is possible in this direction, but it will be necessary for him to be given clear guidance on the points indicated above and particularly on the maximum figure to which he should work. You will remember that in the Gold Coast scheme approved in 1953 this figure was set at £8,000. Since then the value of the pound has depreciated and salaries in West Africa have been raised; and I consider that a figure of £9,000 would be appropriate.

10. I attach a copy of the relevant schedule to the Gold Coast (Constitution) Order in Council, 1954, which gives particulars of the Gold Coast scheme.³

11. I should be glad if the appropriate Staff Associations could be informed that £9,000 is the figure that I have proposed to the Nigerian Governments as the maximum lump sum compensation payable.⁴ Should they have any comments on the matter you will no doubt arrange to let me have them as soon as possible.

12. In concluding, I wish to express my earnest hope that the introduction of a scheme for retirement with compensation will not be regarded by either the Nigerian Governments or the expatriate officers as the occasion of retirements on a large scale. In Her Majesty's Government's view it is right that expatriate officers should be given the option to retire with compensation at the appropriate stage of constitutional development, but it will clearly be to the advantage of all if conditions can be created which will foster their gradual withdrawal only as qualified Africans are available to take their places. The proposals for a Special List of H.M.O.C.S. are designed with this end in view but it will be most helpful also if it can be agreed that compensation schemes should include features to induce officers to stay as long as their services are required. In particular, I would commend to the attention of your Government the arrangement in the Gold Coast scheme by which officers who continue in the service of the Gold Coast Government may 'freeze' their compensation rights at the figure most advantageous to them. Such an arrangement may well be essential to retain the services of some of the most valuable senior officers.

13. I shall be grateful if I may be acquainted at an early date with the views of your Government since it would be helpful if at any rate some measure of agreement on the issues in question could be reached in advance of the Constitutional Conference this autumn.

14. Although all the Regions may not yet wish for full Regional self-government, I am addressing this despatch to all the Regional Governors since I assume that all

³ Not Printed.

⁴ See 347.

Regional Governments will wish to consider the problem, and since an agreement reached with one Regional Government is bound to have repercussions on the others, either now or later. I am also addressing the despatch to the Governor-General so that he may co-ordinate the replies of the Regional Governments and advise me of the likely effects of Regional schemes on the Federal Service.

367 CO 554/1126, no 164 12 July 1956
[African Continental Bank affair]: inward telegram no 123 from Sir C Pleass to Mr Lennox-Boyd concerning the fate of Mr Eyo's motion

Your secret telegram No. 145.

On 30th April, 1956, Mr. E.O. Eyo, Member for Uyo division, gave notice of a motion for debate in the House of Assembly, which reads as follows:—

‘That this House regrets that Dr. Nnamdi Azikiwe, the Premier of the Eastern Region, grossly abused his office by allowing public funds, totalling nearly £2 million to be invested and/or deposited in the African Continental Bank Limited (in which Dr. Azikiwe has substantial interest) at a time when Dr. Azikiwe knew that the said Bank was operating at a substantial loss, and depositors' money was being used to finance even the premises of the said Bank, as disclosed in two balance sheets of the said Bank dated 31st March, 1953, and 31st March, 1954, and hereby urges the Executive Council to take every possible step forthwith to recover all public funds invested and/or deposited in the (groups omitted ?African Continental Bank Limited, after the accounts of the) said Bank, from its date of inception, shall have been audited by a reputable firm of auditors.’

2. Subsequently he amended his notice of motion twice. The first amendment dated 30th April, 1956, reads as follows:—

‘That this House regrets that Dr. Nnamdi Azikiwe, the Premier of the Eastern Region, allowed public funds totalling nearly £2 million to be invested and/or deposited in the African Continental Bank Limited, in which Dr. Azikiwe has some interest, at a time when Dr. Azikiwe knew that the said Bank was operating at a substantial loss, and depositors' money was being used to finance even the premises of the said Bank: and hereby urges:

(1) That the Executive Council take all possible steps to recover all public funds invested and/or deposited in the African Continental Bank Limited, after the accounts of the said bank, from its date of inception, shall have been audited by a reputable firm of auditors; and

(2) That an independent commission of inquiry be appointed by His Excellency the Governor to inquire into allegations of gross abuse of office and corruption made against Dr. Azikiwe, the Premier of the Eastern Region, by Mr. E.O. Eyo, Member for Uyo division, in respect of investment of public funds in the African Continental Bank Limited and submit a report to His Excellency the Governor, the said report to be laid on the table of this House for debate.’

The final version dated 17th May, 1956 reads thus:—

‘That this House humbly requests that an independent commission of inquiry be appointed forthwith to enquire into the circumstances surrounding the investment and/or deposit of public funds of the Eastern Region, totalling nearly £2 million, in June, 1955, in the African Continental Bank Limited, in which Dr. Nnamdi Azikiwe, the Premier of the Eastern Region, has an interest, and to submit a report of its findings and recommendations to His Excellency the Governor after the accounts of the said Bank shall have been audited by an independent and reputable firm of auditors, appointed by the Governor. The reports of the said commission of inquiry and the firm of auditors to be laid on the table of this House.’

As soon as the Premier became aware of Mr. Eyo’s first notice of motion he welcomed it, and pressed that the House be summoned immediately for a full dress debate on the motion.

3. The motion came up for debate in the House of Assembly on Tuesday 26th June, 1956, but it was ruled out of order by reason of Standing Order No. 253 which reads as follows:—

‘Reference shall not be made to any matter on which a judicial decision is pending in such a way as might in Mr. Speaker’s opinion prejudice the interests of parties thereto.’

The Speaker was satisfied on the evidence before him that the Premier had instituted an action for libel against Mr. Eyo in the High Court Calabar. I have to add that before the motion was ruled out of order the Premier appealed to the Speaker to allow the motion to be debated, while Mr. Eyo on his side stressed that the Speaker was bound by the Standing Order. I shall send you a copy of the Hansard when available.

4. That evening I received a request by telephone from the Leader of the Opposition, regarding what had happened in the House that day. I did not think it proper for me to receive a delegation about something which happened in the House of Assembly, and therefore refused to receive them. The following morning I received a letter signed by Mr. Eyo Ita, Leader of the Opposition, and eight other members of the Opposition asking for the appointment of a commission of enquiry into the allegations, as sought by the motion, a copy of which is being sent to you.

5. On Saturday morning I received from Mr. Eyo Ita a telegram which reads:—

‘Following the cablegram forward for your information.

“Colonial Secretary, London, Official Opposition, Eastern House Assembly, hereby give notice boycott all matters Eastern Legislature in which Premier Azikiwe participates, including proposed Constitutional Conference London, until he clears himself serious allegations abuse office and corruption in connection investment two million pounds public funds personal bank. Above notice Governor-General Federation, Governor Eastern Region, Premiers Northern and Western Regions, Leader Opposition House Representatives. Eyo Ita, Parliamentary Leader.”’

6. The request for appointment of Commission contained in the letter from the leader of Opposition was discussed in Executive Council on Monday 2nd July and

Council advised 'that His Excellency should reply that he was not in position to interfere with the ruling of the Speaker that the House could not debate a matter that was *sub judice*. In view of this action the court would determine the veracity of these allegations, and therefore a commission of enquiry was quite unnecessary.'

7. It is felt that since a plea of justification is open to Mr. Eyo in respect of the libel action pending in the High Court, it is for him to justify those charges made against the Premier. Moreover, it is known that in a libel action the plaintiffs character is in issue: thus Mr. Eyo will have a good opportunity to discredit the Premier by establishing his allegations. Incidentally the Premier has received hearing notice from Calabar High Court, indicating that the case has been fixed for Monday 23rd July, 1956.

8. I have to mention that before the motion came up for debate on 26th June, my Ministers considered that it would be necessary to keep the public informed on the matter. Consequently a White Paper was prepared by the Government, and was accordingly laid on the table of the House during the Session. I will enclose in the next mail a copy of this White Paper, which speaks for itself.

368 CO 554/1126, no 183

14 July 1956

[African Continental Bank affair]: outward telegram no 147 (reply)
from Mr Lennox-Boyd to Sir C Pleass on the appointment of a
commission of enquiry

[The CO meeting of 5 July (365) had made the decision to establish a commission of inquiry into the ACB affair. However legal and political difficulties soon emerged concerning who should initiate such a commission (and thus set its terms of reference and chose its members). It became apparent that the secretary of state could not do so and that the right to appoint a commission was reserved to the regional government. In this document, Lennox-Boyd invited Azikiwe to agree to his (Lennox-Boyd) appointing a commission. Azikiwe in reply refused, pointed out that banking was a regional matter and called on Pleass to establish an Eastern Region commission instead. This proposal Lennox-Boyd rejected on the grounds that banking was a federal, not regional, matter and offered to appoint a nominee of Azikiwe's to the commission. Azikiwe refused this and again asked Pleass to appoint a commission; Pleass refused to comply. This culminated on 24 July in Lennox-Boyd's announcement in the House of Commons concerning a commission of inquiry (370).]

Your telegram No. 123.

Continental Bank.

I am grateful for your report on this serious dispute about relationship between Premier and African Continental Bank.

2. I understand that Premier and enterprises with which he is or has been associated are large shareholders in this Bank in which considerable sums of public money have been invested since Premier took office. I also understand that certain documents contemplate that the Premier should be a life Chairman of the Bank and give him the right to nominate certain other Directors.

3. As you know, I have had private exchanges with Premier on this matter based on such information as was available to me.¹

¹ See 336.

4. Further serious allegations going far beyond my exchanges with Premier have now been made publicly by Mr. Eyo. It has not been possible for motion concerning these serious allegations to be debated in Eastern House of Assembly, although Premier asked that it should be, as Speaker has ruled matter sub judice on account of libel action which Premier has instituted against Mr. Eyo.

5. Forthcoming Constitutional Conference will have to consider proposals for advance of Nigeria towards self-government and in particular for grant of Regional self-government to those Regions that request it in accordance with the pledge given by Her Majesty's Government in 1953 as recorded in paragraph 28 of London Conference Report. I wish to make it absolutely clear that Her Majesty's Government still stand by that pledge. But before a Conference is held to deal with matters of such importance it is in my view essential that these serious allegations should be fully investigated.

6. I note that in the Premier's letter to me of the 25th June, he has offered to amend a particular agreement giving him position of special authority in Bank and that libel action may, in due course, clarify certain matters. But piecemeal moves to clear up broad general questions that have been raised cannot be regarded as satisfactory. Also I must take account of the fact that even though hearing of libel action is apparently due to begin in a few days, it may be very prolonged particularly if there is an appeal. Also it will not by any means necessarily cover all the matters at issue particularly any which do not directly affect the Premier personally.

7. I feel that speediest and only satisfactory means of clearing up these questions and allaying public anxiety would be by appointment of a completely impartial Public Commission of Enquiry. Such a Commission was appointed in the United Kingdom when last the conduct of a Minister was called in question. I am advised that existence of libel suit is no bar to appointment of Commission enquiring into allegations which must involve others besides the Premier. Nor would appointment of Commission in any way call in question correctness of ruling given by Speaker since that ruling properly related only to proceedings then contemplated in the House. Equally of course it commits no one to any opinion as to whether allegations are in any way correct. I earnestly hope therefore that Premier will be prepared to ask you to arrange for a Commission to be appointed. In view of the wide ground which the Commission would have to traverse it is, I am advised, doubtful whether you could lawfully appoint it and in any case I think that it would in all the circumstances be best that it should be appointed by me under Section 22 of the Commissions of Enquiry Ordinance.

8. Please convey these views to the Premier as soon as possible and invite him to give question of appointment of Commission urgent consideration. I feel confident that on reflection he will wish to take opportunity of fully clearing his own name and that of his Government at impartial enquiry of a judicial nature, and will agree with my conclusion that only really satisfactory procedure is that I should, with the minimum of delay, appoint a Commission to complete its task with all possible speed to avoid undue delay in holding Constitutional Conference.

369 CO 554/1126, no 200

16 July 1956

[African Continental Bank affair]: inward telegram, unnumbered, from Dr Azikiwe to Mr Lennox-Boyd attacking the secretary of state's handling of the affair

Banking Policy in Eastern Nigeria.

Am surprised that you prefer to listen to fantastic allegations against Premier and Government of Eastern Nigeria by ex convicts, persons guilty of moral turpitude and other questionable characters. One should have expected you to act responsibly and fairly by showing faith in constituted authority rather than give impression that you are supporting prejudiced official supporters of disgruntled legislators who number 11 in a House of 84. You should realise by now that Governor Pleass is an obstinate character who cannot adapt himself to contemporary British Colonial Policy and who should not be allowed to continue to roost in a place he had served as Dictator for almost 30 years.¹ Recently Governor Pleass declined to act on advice of Executive Council and has flouted the Constitution with impunity by refusing to reply Opposition Party in accordance with advice which Government gave him. We shall soon react. You will remember that last year he was party to government decision regarding downgrading of certain posts and abolition of residents. In spite of that he had audacity to write you and secure your support and later had to use veto power worse than Nero. Then he won you over by sending despatch filled with cock and bull stories about your alleged dislike of expatriate civil servants. Strangely you supported him without even having the courtesy to ask me for accurate information or reasonable explanation. You did apologise to me later but it was too condescending and superficial for me to take seriously. Now you want to support Pleass in his unconstitutional behaviour and you feel you must agree with course advocated by Opposition and supported by Pleass. Why must you blindly take sides against this government always. Why must you show preference for medium which accepts inadmissible evidence which cannot be put before court in civil or criminal proceedings instead of court of law where those who make wild allegations are subjected to strict rules of evidence. Did you receive the despatch from Pleass which I corrected and approved since his draft was one sided and prejudiced. In view of your prejudice and unwarranted antagonism against N.C.N.C. government am requesting my colleagues to resign their offices following my impending resignation on protest against your insulting high handedness and complete disregard of elementary courtesy in handling matters relating to affairs of Eastern Nigeria. You have preferred to listen to an obstinate Governor whose bull headedness continues to create impasse in the Eastern Region. A Governor who did not give you vital facts in connection allegations. It was Governor Pleass who originally suggested investment of public money in African Bank and now he has developed cold feet in favour of Eyo and Opposition fault-finders. If your continued attitude of antagonism against Eastern Nigeria is a pretext for stultifying the forthcoming Constitutional Conference then you have misfired because there is no force on earth to impede our march towards political as well as economic freedom. We must decide where our

¹ In the Eastern House of Assembly in early August Azikiwe stated, in what became a renowned description, that 'the stubbornness of Sir Clement Pleass . . . has become pathological'.

money must be banked and you cannot properly interfere in order to protect British banking monopoly. Because of your pronounced partiality I have instructed all N.C.N.C. ministers and Parliamentary Secretaries in the Federal Government as well as Regional Government to be ready to tender their resignations so you can have full scope to rule arbitrarily four thousand miles away on secret information from obdurate and old fashioned Governors. I have written without prejudice conscious of the responsibility of my high office whilst realising the harm done to the cause of understanding our real problems by some of your lackeys and minions right there in the Colonial Office. These have done disservice to British prestige by their persistent misrepresentation of facts to you. No amount of smear campaign will make me or N.C.N.C. ministers hate anybody but you must realise that personally I will never compromise with the devilish Colonial system which places millions of people under political bondage whilst they tell us about autocracy in Rurritania. You will remember that I warned you sometime ago that unless you removed Governor Pleass and Attorney General Briggs from Eastern Nigeria you will never have peace and satisfactory government there because they are always playing politics with us instead of adapting themselves to the new constitution and allowing us to run our affairs. You have failed to heed my advice and you will continue to be misinformed about what is actually happening here until you have a real crisis. Please note that up till date I have actually instituted three libel actions against Eyo and two opposition newspapers. His latest telegram to you about half million pounds is subject to another libel action as well as pamphlet printed by action group Press. It is incredible that you could be so credulous as to believe all sorts of fantastic tales about the Premier of the Eastern Region. My humble advice is that you be careful not mess up affairs of Eastern Nigeria as is the case in Cyprus and Singapore.² We are ready for any eventuality and will not stand nonsense from anybody. You have been warned. You have the power for good or for evil. My Government will respond accordingly and my party will not take any backward step no matter the price we may be forced to pay. Being black people does not mean that we are impervious to justice and decency. Being white does not make colonial Governors paragons of perfection.

² In Nov 1955 a state of emergency was declared in Cyprus in response to a campaign of terrorism; in March 1956 Archbishop Makarios was deported to the Seychelles by the authorities. The London conference on Singapore's future, begun in Apr, broke down in May over the issue of the colony's independence; this was followed by the resignation of the chief minister, David Marshall, rioting in the city and the introduction of emergency regulations.

370 CO 554/1127, no 322 24 July 1956
[African Continental Bank affair]: circular telegram no 292 from the CRO to UK High Commission on Mr Lennox-Boyd's statement in the House of Commons establishing a commission of inquiry

[On 24 July 1956, Lennox-Boyd announced in the House of Commons that a commission of inquiry into the ACB affair to be led by Sir Stafford Foster-Sutton, chief justice of Nigeria, would be established and that the constitutional conference due to be held in London in September 1956 would be delayed until the commission had reported, *House of Commons Debates*, vol 557, cols 215–221. The terms of reference of the commission were later announced as being to examine 'allegations of improper conduct on the part of

Dr Nnamdi Azikiwe . . . in connection with the affairs of the African Continental Bank Ltd' and Sir J H M Comarmond, chief justice of the High Court of Lagos and chief justice of the Southern Cameroons, V A Savage, a chief magistrate in the Eastern Region and G F Saunders, chartered accountant, were appointed to it. It began hearings in Lagos in late August.]

Following is gist of statement by Secretary of State for Colonies in Commons on 24th July.

Begins. Dispute has arisen in Eastern Region of Nigeria about relationship between Premier Dr. Azikiwe and African Continental Bank Limited.

2. This Bank was founded by Azikiwe. On assuming office he informed Governor that he had resigned his directorship. He and enterprises with which he has been associated are still shown as large shareholders. I have been informed that during 1955 £877,000 of public money was invested in Bank (and other large sums deposited with it) and that Bank was party to certain documents contemplating that Premier should be life Chairman and purporting to give him right to nominate certain other directors.

3. Last November I took matter up with Premier in London and we have been in correspondence since.¹

4. Last April member of Regional House of Assembly, tabled motion relating to association of Premier with Bank.² He subsequently called for appointment of independent Commission of Enquiry. Azikiwe has instituted libel actions against him and certain newspapers.

5. On the 14th July, I sent personal message inviting the Premier to agree to my appointing Commission of Enquiry.³ I considered it essential that these matters should be fully cleared up before Nigerian constitutional Conference. I pointed out that such a Commission was appointed in United Kingdom when conduct of a Minister was last called in question and suggested that I should appoint Commission as at least one of matters to be enquired into is reserved to Federal Government and Regional Governor is not competent to appoint Commission to enquire into federal matters.

6. On 16th July I received from Premier message couched in disappointing terms implying rejection of invitation.⁴ Shortly afterwards Premier and his colleagues advised Governor to appoint Commission with a sole Commissioner chosen by them. Such a Commissioner could not enquire into matters reserved to Federal Government of which banking is one.

7. On 18th July I made further approach to Premier explaining this again and adding that although it would not be proper for Premier to suggest full membership of Commission since he would be personally involved in proceedings, I would be prepared to invite person whom he had proposed as sole Commissioner to be a member of it. I said this as I was satisfied that person proposed was suitable for appointment.

8. Premier rejected this second approach also. He and his colleagues now advised the Governor to appoint Committee of Enquiry and nominated three persons to serve on it. Such committee could not compel attendance of witnesses or hear evidence on oath and its investigations of matters reserved to Federal Government would be of doubtful propriety. Governor did not consider that to proceed in this way was in

¹ See 332.

² See 367.

³ See 368.

⁴ See 369.

words of his Royal Instructions ‘in the interests of public faith’ and informed Ministers that he felt unable to act on their advice. Decision of Governor, has my unqualified support.

9. In these circumstances I have decided that I must now appoint Commission of Enquiry. I have invited Chief Justice of Federation of Nigeria to be Chairman and he has accepted invitation. Names of other members and terms of reference will be announced as soon as possible.

10. I earnestly hope that Premier and his colleagues will accept decision as in their own best interests and those of public life in Nigeria. There is no question of attempt by Her Majesty’s Government to impose British banking monopoly in Nigeria, or to dictate financial policy.

11. Statement concludes ‘The Commission will, I am sure, complete its work and report with all possible speed, but I am afraid that its appointment must almost inevitably mean some delay in convening the Constitutional Conference which was to have met on the 19th September. I hope that this will not be long, and I have asked the other Nigerian Governments to accept this delay, regrettable though it is to all of us, because in the interests of the territory as a whole these serious allegations must first be fully investigated. At the same time I have made it clear to them that Her Majesty’s Government stand by the undertaking given in 1953 about the grant of regional self-government to those Regions that desire it. I trust that after the Commission has reported we shall be able to resume our work together.’ *Ends.*

12. Attention of Commonwealth authorities may be invited to statement.

371 CO 554/905, no 45

27 July 1956

‘Nigeria constitutional conference 1956: structure of the federal government’: CO final brief

[Extract]

1. The present structure of the Federal Government is set out in Appendix A.¹ The preliminary Action Group proposals for amending it are summarised in Appendix B.

2. This brief assumes that the present division of Nigeria into three Regions, the Southern Cameroons and the Federal Territory of Lagos, will not be altered by the Conference.

The United Kingdom objectives

3. Because of the backwardness of its peoples, particularly in the North, and because of inter-tribal fears and jealousies, and the corruption of much of its political life, Nigeria will be unfit for independence for many years. Early independence will bring the dangers of secession by one or more of the Regions, of the use of the strong Governmental machines we have established to set up one-party dictatorships or of the descent of parts of the country into chaos where the minimum honesty and efficiency to operate these Governmental machines is not present. The major United Kingdom objective in relation to Nigeria is therefore to delay the grant of independence for as long as possible consistent with the retention of local good will,

¹ Appendices not printed.

for the purpose of strengthening the sense of Nigerian unity, and to give the fullest opportunity for a more informed and responsible public opinion to emerge and for the present fragile democratic institutions to mature.

4. The attempt to delay the grant of independence is fraught with these basic difficulties:—

(a) Nigerians are fully conscious of the pace of progress towards independence set elsewhere—in the Gold Coast, the Sudan, Libya, Malaya and even ex-Italian Somaliland—and some of them at least will expect the same pace to be observed in Nigeria.

(b) Once self-government, even in the limited form contemplated, is granted to all three Regions, the continuing dependence of the Federal Government will appear anomalous and anachronistic.

(c) Once Regional self-government is granted so much of the powers originally enjoyed by the United Kingdom over Nigeria will have been transferred to local hands that the United Kingdom will have few residuary powers left to spread out the process of transferring them over a number of years.

(d) The principal public justification for delaying the grant of independence is inter-tribal fears. But United Kingdom emphasis on these fears may sound like conscious exploitation of 'divide and rule'.

5. Despite these difficulties, in pursuance of its objective of delaying the grant of independence the United Kingdom should aim at the Conference to retain all its present powers and representation in the Federal Government. If this can be done, it may be hoped that there will be two further constitutional stages before Nigeria becomes independent: in broad terms at the first of these the United Kingdom might surrender the posts of the *Ex-Officio* Members of the Council of Ministers and provide for an independent Public Service Commission, leaving to the Governor-General (to be exercised through a Deputy) responsibility in his discretion for external affairs and defence: at the second stage the Governor-General's powers also would be surrendered and the country would become independent. These two remaining stages might by careful handling be spread out over a number of years; but if at the Conference an all-African Council of Ministers is set up—and there will no doubt be pressure for this—only one stage before independence is likely to remain.

Possible tactical situation at the September conference

6. The Action Group are likely to try to secure some support from the N.P.C. with the complementary objectives of emerging from isolation and defeating the schemes of the N.C.N.C. but a common front between the Action Group and the N.P.C. is unlikely. The Action Group are, therefore likely to go for the limited changes in the structure of the Federal Government set out in Appendix B, and because of the reasonableness of these changes the N.P.C. may well support them. It cannot be assumed that having attained these limited objectives the Action Group would not press for more if opportunity arose, and they may in some aspects support the demands of the N.C.N.C.

7. It will be a major objective of the N.C.N.C. to secure the break-up of the North. When the attempt to achieve this fails the N.C.N.C., and to a milder degree the Action Group, will demand protection in the Federal Government from numerical

domination by the North. At the same time there may well be pressure in varying degrees from all parties for some further progress towards self-government in the Federal structure by the creation of an office of Federal Prime Minister (see paragraph 34 (a)) and perhaps the abolition of some or all of the posts of the three *Ex-Officio* Members of the Council of Ministers. (See paragraphs 31–33). If the N.P.C. accept the creation of a post of Federal Prime Minister, they will expect the status of that post to be not superior to that of a Regional Premier; but if the post were created it would have to carry a superior status.

8. The N.P.C. have now stated that they will claim Regional self-government in 1959. It appears that they still adhere to their policy of fixing no date for self-government for Nigeria as a whole, but wish to have it only 'as soon as practicable'. But the N.P.C. do not perhaps realise that by setting 1959 as the date for Regional self-government for the North they are making it virtually certain that the 'radical' parties will demand that 1959 shall be the date for self-government for Nigeria as a whole.

Independence for Nigeria

9. Dr. Azikiwe publicly stated some months ago that the N.C.N.C. will propose that Nigeria should become independent forthwith. More recently he has proposed that Nigeria should have a constitution at Federal level similar in effect to what was offered to Singapore last May. Whatever demands he may put forward he will no doubt point out that one of the purposes of the Conference, as agreed in paragraph 27 of the London Conference Report, is to examine the question of self-government. He may not expect independence to be granted but he will hope by forcing a refusal of this demand to gain concessions elsewhere. The N.P.C. will not support him but it is possible that for tactical reasons the Action Group may give him some support or at least will not oppose him, to prevent him claiming on his return to Nigeria that only he believes in and demanded independence for the country.

10. The question of independence was dealt with in the London Conference Report as follows:—

'D.—The question of self-government by 1956.

28. This question had been placed on the agenda at the request of the three principal political leaders attending the Conference. . . . and the Conference devoted two plenary sessions to a lengthy discussion of this matter. The Secretary of State for the Colonies informed the Conference that Her Majesty's Government were not prepared to fix a definite date for self-government for Nigeria as a whole, the more so as the Northern delegation, representing over half the population of Nigeria, was unable to depart from its policy of self-government as soon as practicable'.

The rest of paragraph 28 contains the promise of Regional self-government and the proviso to it.

It should be noted that the United Kingdom reserved its position *completely* about not fixing a date for self-government for Nigeria as a whole. The words 'the more so as' were carefully chosen. The meaning would have been different if the Report had said 'because'. Lord Chandos said at the London Conference in 1953 and repeated at the Lagos Conference in 1954 that 'Her Majesty's Government did not intend to force self-government either upon any part of Nigeria before it felt ready for it or upon

Nigeria as a whole so long as any substantial part of it did not consider the time opportune'. This statement gave much reassurance to the N.P.C. delegation.

11. The method of refusing this demand for independence is primarily a question of tactics to be finally decided at the time the demand is made. The United Kingdom objective should be to present the refusal as inevitable in view of the political situation and the general state of development of Nigeria, rather than as a unilateral decision by the United Kingdom in the face of Nigerian nationalism. To achieve this effect it may be preferable that the Conference should consider the question of Regional self-government before dealing with the structure of the Federal Government as in considering Regional self-government some of the lapses in Regional government over the last few years are likely to emerge, and these will themselves suggest some of the grounds on which refusal must be based. Whether or not it is thought wise to discuss Regional self-government before the question of independence is raised, all or any of the following arguments should be used as seems suitable at the time in dealing with this demand:—

(a) The Secretary of State should draw attention to the lack of unanimity on this question in 1953 and quote the extract given above from paragraph 28 of the London Conference Report.

(b) The Secretary of State should point out that facile comparisons with other countries which have recently attained or are approaching independence are misleading. The circumstances and development of each country are very different and a right decision on so grave a question as the achievement of independence or full self-government can be based only on the facts of the Nigerian situation and not on the pace of events elsewhere. (Heine said 'Deliver me from the Devil and comparisons').²

(c) Nigeria is potentially one of the great countries of Africa; by its size, population and resources, it could one day hold an outstanding position in the councils of the whole Continent and an honoured place in the British Commonwealth. But the very size and diversity that makes these developments possible must also mean that Nigeria will take longer to develop reliable and effective self-government institutions than smaller and less complex societies. The gestation of the elephant is longer than that of the mouse.

(d) The major Nigerian parties are at present so unsure of themselves that they did not consider it possible to hold the present Conference in their own country.

(e) The delegations should be asked their views on the question of independence for Nigeria in the light of their ability and willingness either to co-operate in forming a Federal Government with the other major parties or to accept with full confidence an independent Federal Government formed wholly of parties other than their own.

(f) These exchanges should make sufficiently obvious the distrust the major parties have of each other to enable the Secretary of State to say that independence or full self-government cannot be forced and can be based only on political and economic realities. As a fact there is not yet sufficient unanimity, harmony and co-operation among the various components that make up the Federation for full self-government to be possible.

² Heinrich Heine, nineteenth century German–Jewish lyric poet and essayist.

12. Although the major delegations are likely to accept the fact that independence cannot be achieved forthwith, the N.C.N.C. and the Action Group will no doubt insist that this is still the objective to be attained as soon as possible, and that it is the responsibility of the United Kingdom, no less than of the Nigerian parties, to help speed the solution of the remaining difficulties and to foster a unity which can lead to the transfer of sovereignty. They are likely to demand some acknowledgment by the United Kingdom of the goal of Nigerian sovereignty and either a date for its attainment or at least for the next conference at which it will be the main topic for consideration.

13. On this the Secretary of State should say:—

(a) that unity and mutual confidence are not created by the artificial fixing of a date and that the United Kingdom, while anxious to do all in its power to bring about conditions in which full self-government will be possible, must endorse the wise policy enunciated by the N.P.C. in 1953 of self-government as soon as practicable;

(b) that the assumption of Regional self-government following the September Conference is itself a big step towards full self-government for Nigeria; that until Regional self-government has become a working reality, the next step cannot be anticipated;

(c) But that after all the Regions have become self-governing in Regional matters the United Kingdom Government will be prepared, at the request of any of the Nigerian Governments, to consult with the Nigerian Governments about any further steps that might be taken towards self-government for Nigeria as a whole. While in no way going back, or appearing to go back, on the established United Kingdom policy of self-government for dependent peoples, the Secretary of State should avoid committing the United Kingdom to a definite date for a further review of the constitution. (It would not be necessary to hold a Conference in 1959 to agree on the grant of Regional self-government to the North unless the North sought a form of constitution and relations with the rest of the Federation substantially different from those which may be agreed at this present Conference for the East and the West).

Legislative houses

14. All three major delegations to the London Conference in 1953 proposed the establishment of a bicameral Legislature but although this was initially approved it was finally agreed (paragraph 12 of Cmd. 8934):—

‘12. *Federal legislature*.—There should be a unicameral Legislature consisting of one member per 170,000 inhabitants, or a total of 184 elected members. In the interests of ensuring the smooth working of the revised Constitution until its next review, the Northern Peoples’ Congress delegation undertook not to insist on the full number of members to which this basis of calculation entitled the Northern Region, but to accept for the time being a total of 92 members for the Northern Region, the balance being distributed among the Eastern (42) and Western (42) Regions, Lagos (2) and the Southern Cameroons (6).’

Had the allocation of seats been strictly in accordance with population the North would have received 53 per cent, the East 22 per cent, the West (including Lagos) 21 per cent and the Cameroons 4 per cent.

15. The following proposals may be advanced by the various delegations at the Conference:—

- (a) The N.P.C. may demand representation fully proportional to its population, particularly if there is agreement to have a Second Chamber at the Centre.
- (b) One or more delegations may propose a reduction in total membership on the grounds that the present House of Representatives is too large and unwieldy.

16. (a) will be resisted by both the major Southern parties on the grounds that the North, having rejected all proposals for the division of the Northern Region and for the introduction there of a uniform electoral law (see separate brief on this) which would give the Southern parties a genuine opportunity to appeal to the electorate of the Region, cannot, in the interests of Nigerian unity, be permitted further to improve the favourable position in which, by population and geography, it at present finds itself vis-a-vis the rest of the Federation. These Southern arguments contain much rough justice and should be supported by the United Kingdom.

17. (b) should be opposed by the United Kingdom because:—

- (i) the present membership of the House of Representatives is not over-large for a country with a population of 32 millions;
- (ii) any reduction of membership would mean, particularly in the North, constituencies so great in area that the representatives chosen could not keep in touch with the electorate;
- (iii) constitutional changes should be made only where they are really necessary as over-frequent changes are unsettling and add to administrative difficulties. The arguments for this particular change are at best marginal and so the present arrangements should not be disturbed.

18. The weight of United Kingdom advice should therefore be in favour of retaining the present House of Representatives unchanged. But the United Kingdom has no special interest in the size of this House and need not oppose changes proposed by a great majority of the delegates.

Second chamber

19. In the early stages of the 1953 Conference it was agreed by all the major delegations that there should also be an Upper House or Senate composed of equal numbers from the three major Regions and a smaller number from the Southern Cameroons. The Conference later reversed this decision. It is likely that all three major delegations will again propose the establishment of an Upper House containing perhaps 10 representatives from each of the three Regions, 4 or 5 from the Southern Cameroons, and perhaps 1 or 2 from Lagos. The main justification for a Second Chamber is that equal representation in this Chamber as between the Regions would, to some extent, offset the preponderance of Northern representation in the Lower House and so help to compensate the Southern Regions for the North's refusal to be broken up into smaller units. It is in the United Kingdom interest both that the North should not, at least at this stage, be broken up and that resentment of this Northern 'intransigence' should not lead any Southern delegation to leave the Conference. The United Kingdom should therefore support the establishment of a Second Chamber on these lines if it receives a fair measure of support in the

Conference. But if the Regions cannot agree on equal representation in the Second Chamber, the main argument in its favour is vitiated.

20. The main arguments against a Second Chamber are practical:—

(a) There are already 7 legislative bodies in Nigeria; an eighth will merely increase the top-heavy structure of Government without enlarging the supply of good men to support it. But there is already a House of Chiefs in two of the Regions and if a second House is desirable in these Regions it is difficult to argue that it would be unsuitable for the Federation.

(b) Staff and accommodation in Lagos are already over-pressed. A Second Chamber in these circumstances would be unmanageable. But the arguments of principle in favour of a Second Chamber must override the administrative difficulties of accommodating its small membership and recruiting the additional officials needed to service it. In the West and North the House of Chiefs meets after the House of Assembly so that there is no problem of simultaneous accommodation and staffing for both Legislative Houses. A similar arrangement might initially help to solve some of the problems of a Second Chamber in Lagos.

21. Assuming it is decided to establish an Upper House in which the three Regions are equally represented, questions arise of the method of election of members, the duration of membership and the powers of the House. The provisional Action Group proposals on these questions summarised in Appendix B are generally acceptable, subject to the following comments.

22. These Action Group proposals may be questioned in the following respects:—

(a) *Method of election*

The Action Group propose that the 'senators' from each Region should be elected by members of the Legislative Houses of the Region under regulations made by the Governor-General with the concurrence of the Regional Government concerned.

It was argued in 1953 that no Federal representatives should be chosen by the Regional Governments as this would merely perpetuate Regional differences and would produce not truly Federal Legislative Houses but a conference of Regional delegations. These arguments have great weight and the House of Representatives should in no circumstances be chosen by the Legislative Houses of the Regions. But the arguments have much less force in the case of a smaller Second chamber whose main purpose is to give the Southern Regions a counterweight to the preponderance of the North in the Lower House. Furthermore the alternative to election by Regional Legislative Houses is yet another election by Regional electors; this would put a grievous burden on the electoral machinery and tend further to confuse the average elector. The United Kingdom might therefore suggest that elections should be by the Legislative Houses of each Region, but that to prevent the majority party in these Houses from electing all their own supporters the number of seats in each Region should, before the election is held, be allotted by the Regional Governor on his assessment of the respective strengths in the Houses of Government and Opposition, to the parties represented in the Houses. Thus, if say in the Legislative Houses of a Region the Government and Opposition parties were represented in the proportion of 60:40, the Government

members would be entitled to choose six of the 10 Regional members of the Federal Second Chamber and the Opposition the remaining four. Members of the Senate, like Members of the House of Representatives under Sections 10(i) and 14(c) of the present Constitution Order, should not be Members of any other Legislative House. Further details of arrangements for a Second Chamber are given in Appendix C (to be attached later).

(b) *Legislative powers of the second chamber*

Under section 60(2) of the Constitution Order a money bill may not be introduced into the present Houses of Chiefs in the North and West. Under sections 68–70 of this Order the Governors of the North and West may in their discretion convene a joint sitting of the Legislative Houses of their respective Regions (each House being represented by not more than 20 of its members) to consider and vote by simple majority on any bill which has been rejected or delayed for one month if a money bill, or for six months if an ordinary bill, by a House of Chiefs. Subject to these restrictive procedures, a House of Chiefs has the same legislative powers as a House of Assembly.

These restrictive procedures may be suitable in the Regional Houses of Chiefs, but are not necessarily the best for a Federal Upper House where it would probably be unreasonable to propose that a joint sitting should consist of equal membership of the two Federal Houses. It might be preferable simply to provide that the Federal Second Chamber shall have no power to reject a money bill but that any other bill which it rejects can become law only by being passed again by the House of Representatives at its next session by a two-thirds majority of the members present and voting. This delaying power of the Second Chamber would give it some bargaining power with which to secure the agreement of the House of Representatives to amendments to a bill which it considered necessary.

23. The following points must also be settled:—

(a) The Action Group propose that there should be no power to dissolve the Senate which should sit for three years without rotation of Members. The United Kingdom should accept majority opinion on this but the point might be made in discussion that there is advantage in rotation to ensure that a Senate with a fixed life does not through Regional elections in the course of this fixed life become too unrepresentative of public opinion. To avoid this the Senate might have a life of, say, four years with half the Members retiring every two years.

(b) It should be possible for Ministers to be drawn from the Senate as well as from the House of Representatives. If so drawn they should be included within the general system for the allocation of Ministerial seats between Regions. But this again is a point for the Conference, on which the United Kingdom should play the role of adviser.

(c) It is for consideration whether Ministers belonging to one House should be allowed to address and/or to vote in the other House. At present under Sections 17 and 24 of the Constitution Order, Members of the Executive Councils of the Northern and Western Regions who are Members of the Regional Houses of Assembly are also Members of the Regional Houses of Chiefs. By the Amendment Order of 1956, Western Ministers who are Members of the House of Chiefs are also made Members of the Western House of Assembly. In none of these cases is a Minister entitled to vote as distinct from to speak in, the House of which he is not

an original Member. The Sudan Self-Government Statute (Section 52) also provides that Ministers and Parliamentary Secretaries of one House have the right to appear in the other. It might be helpful to Government business if Federal Ministers and *Ex-Officio* Members of the Council of Ministers could speak in both Houses, and the United Kingdom should not object to this if the Conference wants it. But a Minister or *Ex-Officio* Member should not be entitled to vote in the House of which he is not an original Member.

24. The Action Group propose that the Second Chamber or Upper House should be known as the Senate. The question of the title of this House is very much a matter for the Nigerian delegations, but the title of Senate is acceptable to the United Kingdom. . . .

372 CO 554/1078, no 60 28 Aug–7 Sept 1956
 [Local government in the Northern Region]: minutes by M G Smith
 and T B Williamson on the preliminary version of the Hudson report

Mr. Hudson

Many thanks for this opportunity of seeing the advance note on Provincial Devolution in the Northern Region of Nigeria¹. . . . I am in broad agreement with the note but I have one major comment and a number of minor ones, which are set out below.

2. The major comment is concerned with the basic conception of a Provincial Administration which is mainly elective from each Province and yet which is regarded in the terms of the proposed constitutional amendment in paragraph 11 of your note as 'the executive instrument of the Regional Government in and for the Province . . .'. I am not wholly clear that the Provincial Administrations which you propose should be established are not in fact simply enlarged Native Authorities and not executive instruments of the Regional Government. If these Administrations are to be such executive instruments then presumably it would be open to the Regional Government to overrule their instrument wherever they thought fit. In fact the Regional Government seems not to have any such power, although it could presumably by a fresh instrument dismiss from office the members of the Provincial Council and the Provincial Authority, and although under paragraph 25 of your note the Resident would have power to act against the advice of the majority of his Authority.

3. The impression that the Provincial Administrations are super Native Authorities is somewhat confirmed by the list of functions proposed to be carried out by them contained in Appendix A. Many at least of these functions seem to be precisely the sort of function that might be conferred by a Local Government Law on a Native Authority or Local Government Council anywhere subject simply to some form of inspection by the Colonial Government concerned. It is stated in paragraph 19 that 'ultimate power will rest with the Regional Government', but apart from the

¹ See 361. Hudson issued the preliminary version of his report, 'Notes on provincial devolution in the Northern Region of Nigeria' in July 1956.

issue of 'Secret and Personal' instructions to Residents I do not fully understand on what this power will rest or how it will be exercised.

4. In effect if the real intention is to devise a broader basis for the genuine devolution of some of the executive functions of the Regional Government, then I doubt whether the rather large and complex structure proposed in the note will have that result. I should have thought that this intention could best be achieved by dispensing with the proposed Provincial Councils which are intended to become fairly important bodies not to be overruled with impunity and by concentrating power and responsibility in a Provincial Authority only.

5. If on the other hand the intention is to create super Native Authorities then I agree that a somewhat complex two-tier structure of authority is most desirable. But the intention should be recognised and not masked by describing this structure of the Provincial Administration as an executive authority of the Regional Government.

6. My comments in the above paragraphs are probably in an exaggerated form. But it seems to me important to consider the apparent paradox in the present proposals which I have sought to bring out as it is possible that if this issue is not faced now the new Provincial Administrations may fall very heavily between two stools.

7. This question of the job to be done by the Provincial Administrations leads to the question of how the Regional Government is to assure itself that these bodies are performing their functions properly. Once the Resident becomes the chief executive officer of the Provincial Authority he cannot easily perform the separate function as Resident of reporting objectively on the work and general effectiveness of himself and his Administration. But some means of assessing the work of the Provincial Administrations must be found to justify the continuance to them of financial support and the allocation between them of development funds on the scale contemplated in paragraph 33(b) of your note. It may not be easy for the Regional Government to check on and supervise the Provincial Administrations without some sort of Inspectorate separate from them and performing what would normally be the functions of the Resident and his District Officers vis-a-vis the Native Authorities.

8. I imagine that at a later stage you will attempt some estimate of the additional staff required to set up these Provincial Administrations. In particular I imagine that the recommendation for additional legal assistance contained in paragraph 30(c) of the note will not easily be met.

9. I presume also that you will at some stage deal with the question of what powers should remain with the Residents and District Officers, and in particular how the Residents will be able to discharge without conflict what remains of their present role of 'Resident sole' while functioning also as 'Resident in Council'.

10. I have the following minor points on particular paragraphs:—

Paragraphs 12(e) and 14.

There are I know strong arguments in favour of including at least a proportion of the local members of the Federal and Regional Legislatures in the Provincial Councils. But I am still a little doubtful about this, partly because it is desirable to avoid the possibility that these members of Legislatures might on the Provincial Councils clash with the Residents and might then be tempted to continue their quarrel by other means in Kaduna, and partly on the other hand because the broad judgment on Regional or national issues which should be expected from members

of the Legislatures might be warped through their personal association with particular Provincial projects.

Paragraph 16

It is stated that the Provincial Authorities should contain a majority elected by the Provincial Councils. But the illustrations of this rule suggest that there will be no such majority.

Paragraph 24(e).

The proposal here is of course open to some abuse. If it became the practice to refer major Regional bills in draft for comment to the Provincial Administrations and particularly if the members of these Administrations then held further consultations, it might in practice become very difficult for Regional legislation to be enacted. This double checking of the views of the electorate is no doubt a safeguard against the misuse of the powers of the Legislature but it may well stultify their genuine use.

M.G.S.
28.8.56

Mr. Hudson

I have now had an opportunity to read the papers, etc., on this file from (57) onwards.

As I mentioned to you this morning, we must certainly have a talk before you return to Nigeria in a week's time, and I think that at this stage Mr. Eastwood would wish to come in.

Perhaps therefore you would kindly pass the papers to him as soon as possible, so that a talk can be arranged for some time next week.

In the meantime, to assist you, I have lent you certain Secret papers for background reading, including the briefs for the Secretary of State for the Constitutional Conference on the position of the Public Service in self-governing Regions, the meaning of Regional self-government, and the future of the Federal Government.

As we shall be having a discussion, I will not minute at length. But there is one point which I feel I must mention at once, because I am very much concerned about it.

I refer to the proposal for Provincial Councils. Your paper at (57) envisages that they will be miniature Provincial Parliaments, with procedure for debating, or at least discussing, bills, motions, and for 'Parliamentary Questions'.

This particular proposal does seem to me to be full of danger. I mean danger in the sense of a much too elaborate structure. I have in mind, for example, all the difficulties that would arise as regards servicing these bodies with stenographers, other staff, duplicating machinery, etc.

The same point is made in paragraph 4 of Mr. M. G. Smith's minute at (60).

If it were intended that these Provincial Councils should become 'County Councils', with subordinate Local Government Councils under them, then I believe this would be a big step forward. But that would involve the disappearance of the Native Authorities as they now exist, and I imagine you would agree that that is completely out of the question at present, and probably for some years.

I may be completely off beam on this, but my feeling is that what is really needed in the North at this stage is a stronger Provincial Authority tailored to take account of present developments and political feelings: in other words a 'Resident in Council', rather than a 'Resident sole' or even a 'Resident and Council'.

The Provincial representatives of the various Kaduna Ministries and Departments, e.g. the Provincial Education officer, Provincial Engineer, etc., would be at the Authorities' disposal, and in effect part of them. Together they would form the Provincial Administration.

In other words you would have at each Provincial headquarters something very similar to the Regional Commissioners with their staffs which we had in this country during the War.

But these Provincial Authorities would be solely executive, i.e. the executive agents of the Regional Government in Kaduna. (This idea, at least, is what Sir Bryan Sharwood-Smith has had in mind for some time, I think).

In fine, we keep for now and after self-government a system of Residents (by whatever name called), but they would become less and less individual authorities and much more chairmen of executive committees to see that the policy decisions of the Regional Government are effectively carried out in the Province. (In this connection you may like to refer to my minute of the 2nd July on this file).

I must confess that I share all your lack of optimism about the future, and have no reason at all to question Mr. Greatbatch's view about the 'terrible inefficiency through nepotism, lack of ability, natural lethargy and lack of integrity' of so many of the Native Authorities.

T.B.W.
7.9.56

373 CO 554/1140, no 4

20 Sept 1956

[African Continental Bank affair]: letter from C G Eastwood to Sir J Robertson on the possible consequences of the report of the Foster-Sutton Commission, and suggesting that Dr Azikiwe's colleagues might be prevailed upon to persuade him to resign

We have been giving some thought here to the situation with which we may be faced when the Tribunal has reported, and as the Secretary of State will doubtless be expected to make his views known with the minimum delay thereafter, I should like in this letter to do some thinking aloud on the question, and to get your preliminary reactions (naturally after such consultation as you may like to have with the Regional Governors).

2. The Tribunal's Report will presumably fall into one of three broad categories:—

(a) It might conclude that there is no real substance in any of the allegations made against Zik or the other members of the Eastern Regional Government.

If this proves to be the case then the course to be followed is clear. No special action towards the Eastern Region will need to be taken and the Constitutional Conference can proceed as soon as it proves practicable to reconvene it.

(b) It might reveal actions by Zik and/or others so improper that criminal proceedings will be necessary.

In that event the law would have to take its course and the Region would presumably have to elect a fresh Government before its representatives for the Conference could be chosen.

(c) It might find that Zik and/or other members of his Government were guilty to a greater or lesser degree of conduct contrary to the Ministerial code they have accepted but not of a criminal nature.

Findings on these lines are perhaps the most likely. They would also be the most likely to involve us in difficult political problems. The rest of this letter is based on the assumption of findings by the Tribunal of this nature, and is an attempt to discuss some of the problems which would then arise and how they might be dealt with.

3. The constitutional position seems fairly clear. Under Section 112 of the Constitution Order the Premier holds his seat in the Executive Council during the Governor's pleasure, but under Clause 6(2) of his present Royal Instructions a Regional Governor cannot dismiss a Premier 'unless it appears to him that he no longer enjoys the confidence of a majority in the House of Assembly of the Region'. The Governor can, however, by the use of his reserved powers, dissolve the House of Assembly against the advice of his Ministers and order fresh elections. (Paragraph 4 of your telegram Personal No. 211 refers.) What this amounts to is that if Zik is prepared to sit tight in the face of an adverse report he cannot, under the present instruments, be forced to resign unless the House of Assembly turns against him, although he could by use of the reserved powers be made to seek the verdict of the electorate on the Report. The Secretary of State's latest views on the question of forcing an election are now being sent to you in a Personal telegram.

4. Some of us here feel—and I wonder whether you would agree—that there seems little hope of Nigeria ever settling down to peaceful existence as a united country so long as Zik remains in politics: the North and the West (i.e. majority West) distrust him far too deeply. You may, of course, feel, as I am inclined to do, that, whether we like it or not, he will be one of the facts of life in Nigeria for a good many years to come and that we must reconcile ourselves to putting up with him, however little we may like it. If, however, he could be got to quit politics altogether, it would undoubtedly be excellent. Would you see any prospect of an adverse report being successfully used to get him to go? His continuance in office after an adverse report would have a very bad effect outside Nigeria, and would undoubtedly diminish if not altogether destroy prospects of overseas investment not only in the East but probably also in other parts of the Federation. What would the North and the West think about that, and what would their reactions be if they saw that H.M.G. had allowed Zik to 'get away with it'? Might not their present tendencies to isolation, and indeed secession, be strengthened? In short, the course of action ultimately taken by the Secretary of State will have to be determined by its impact not only on Zik and the Eastern Region but on the whole of Nigeria. Would you see any possibility of working personally on some of Zik's colleagues to persuade him to go? I have in mind Mbadiwe in particular and the hint given in Grey's telegram Personal No. 167 of the 31st July that he may have ambitions to succeed Zik in the East. You will probably think that Mbadiwe with all his faults would be a much better bet than Zik.

5. I rather doubt whether there is anything much that we at this end can do to produce that result before the Conference, though something might be done during it if it took place before a general election in the East. I suppose it would be possible for us to make it clear, both to Zik and publicly, that in the Secretary of State's opinion he ought to quit public life but what effect would that have in Nigeria?

H.M.G. would have made their position clear and have taken a stand openly for honesty in public life. That would be something gained but we should have confirmed Zik and his friends in their hatred of the Colonial Office and the British Government, and if Zik did in fact fail to retire our position in dealing with him would have been made even more difficult than it is otherwise likely to be.

6. May we know what you think about all this?

7. I am sending copies of this letter to Sharwood-Smith, Pleass and Shankland.

374 CO 554/1140, no 18 27 Sept 1956
**[African Continental Bank affair]: letter (reply) from Sir C Pleass to
 C G Eastwood advising that action should not be taken against
 Dr Azikiwe**

With reference to your letter No. WAF.71/3/02 of 20th September,¹ I think we should first ask ourselves what are the factors that have to be taken into account. I suggest among them are the following:—

(1) The Constitutional position, as set out in paragraph 3 of your letter. The main point here is that the Secretary of State could only force an election in two ways, either

(a) by instructing the Governor to use his Reserve Powers to dissolve the House,
or

(b) by declining to convene the Conference until elections have been held.

(2) Zik is the National President of the N.C.N.C., and its effective leader. He is in fact the only effective leader of the N.C.N.C. as a national party. If he resigned, the party would probably disintegrate into splinter groups and the party knows that. It is very doubtful indeed if any other one man could lead the party and hold it together; Adelabu would not serve under Mbadiwe nor any other Ibo, neither would Mbadiwe or any other Ibo serve under Adelabu. It is unlikely that Mbadiwe would even be able to capture the leadership in the East since he is an Aro and as such mistrusted by the majority of Ibos. The truth is that Zik is essential to the maintenance of unity in the party and the party knows it. There is little doubt that an overt attempt by us to displace Zik would result in the group instinct of the party (which instinct is always much more powerful in under-developed countries than in countries like the United Kingdom) reacting in support of him and in hostility to us. This, in fact, is what has happened during the past two months.

(3) The Secretary of State has incurred great ill-will in the Eastern Region by establishing the Tribunal of Inquiry into Zik's relations with the Continental Bank. He would undoubtedly incur further odium if he were, of his own initiative, to insist on an election before the Conference, and this would be reflected in further instances of intransigence on the part of Zik and his fellow Ministers. Furthermore, there is not the smallest doubt that such insistence would result in a general rallying round Zik's banner and therefore a decisive victory for him—on anti-Imperialist slogans.

(4) H.M.G.'s stand for honesty in public life. Very few people in this Region believe, or will believe even if Zik is severely criticised by the Tribunal, that he has

¹ See 373.

done anything which is dishonest. The exercise of public power for private profit is well-established in this Region as in many other under-developed areas, and to expect the people of this Region to judge politicians by the same standards as the British public now judge them is not only to court disappointment but to invite disaster. One might just as well have expected the British Prime Minister in 1735 (Sir Robert Walpole) to have stopped bribing Members of Parliament. In any event, has not H.M.G. already made a stand for 'honesty in public life' by appointing the Tribunal to enquire into allegations of want of integrity? And would not the logical sequel to that stand be for H.M.G. (bearing in mind that they are not the guardians of the conscience of the people of Eastern Nigeria) to leave the electorate to be the jury by giving them an opportunity to express their wishes regarding their leaders at a general election held after the Conference but before the keys of self-government are handed over? It is true that if the Secretary of State did adopt this course the N.C.N.C. might still attempt to fight the election on anti-British slogans, but since they would by then have received the absolute assurance of the grant of self-government and since the necessary steps to confer it would have been set in train, a great deal of the excuse for viciousness would be removed from the campaign, and the Opposition would have a good opportunity of making it clear that the reason for the Secretary of State's action was the criticism of Zik in the Report. I think that Zik and the N.C.N.C. would still win the election, but I don't think that the harm that would be done to the British connection would be anything like as great as it would be if the Secretary of State insisted on an election before the Conference.²

You say in paragraph 5 of your letter—'I suppose it would be possible for us to make it clear, both to Zik and publicly, that in the Secretary of State's opinion he ought to quit public life, but what effect would that have in Nigeria?' The probable effect would be to harden the hearts of the N.C.N.C. and Zik against the British connection. It is not beyond the bounds of possibility (although I don't think it is at all likely), that if the report were severely critical of Zik, his vanity would be affected sufficiently to induce him to resign. But the furthest we could go, I think, is for the Governor to suggest to him, that in the face of such a critical report, his proper course is to resign. After all, much the same position arose in respect of Ojike and Awgu, and in their cases Zik himself agreed that they should be expected to resign. For the Secretary of State to tell Zik he ought to quit public life would, I think, be a mistake because by doing so the Secretary of State would in fact be placing himself in a position from which he was unable to retreat; surely never a very wise thing to do in politics.

(5) The N.C.N.C. is the only political party in Nigeria which really believes in one Nigeria and a strong Federal Government.³ Neither the N.P.C. nor the Action Group believes in either of these. H.M.G. may therefore fairly expect to derive some assistance from the N.C.N.C. at the forthcoming Constitutional Conference over such items as the Regionalisation of the Police and the maintenance of a strong Federal Government—and the Secretary of State's task will be rendered easier if he gets such assistance. Deliberately to provoke the leaders of the N.C.N.C. would be to deprive himself of this assistance.

² Williamson commented in the margin at the end of this sentence: 'We have accepted all this, & said so, before this letter was written!'

³ Williamson underlined the words 'only' and 'strong' in this sentence and added in the margin 'UNIP?'

2. I do not dissent from the view expressed in paragraph 4 of your letter that the course of action ultimately to be taken by the Secretary of State will have to be determined by its impact, not only on Zik and the Eastern Region, but on the whole of Nigeria. I doubt, however, if the North or the West would react strongly to the idea that H.M.G. had allowed Zik 'to get away with it'. From what one has learnt over the past two years from Rankine's and Sharwood's secret and personal letters, it would not seem as though the Premiers of the West and the North are exactly pillars of moral rectitude, although they are more amenable to persuasion than Zik. They may make a song and dance about it in public for political reasons, but they are unlikely to do much more.

3. Furthermore, I am sure that little good would come from 'working personally on some of Zik's colleagues to persuade him to go'. Doubtless many of them would like to take his place, but equally doubtless they would fear to join issue with him publicly because they know in their heart of hearts that they would be unable to keep the party together. It is, I suppose, not beyond the bounds of possibility that they might attempt to persuade Zik to resign his seat in the House, and therefore as it were officially leave politics, while remaining the leader of the party: but little good could come from that as we learnt to our cost in 1952 when in fact he tried to lead the Eastern Regional Government from outside the House.

4. I suggest that before going any further it would be advisable to consider what our aims are. Quite frankly, I do not think our primary aim is to establish a standard of honesty in public life in Nigeria such as pertains in the United Kingdom—only time and education will do that. I think our primary aims are to ensure:—

- (a) the maintenance of the Federation of Nigeria, and
- (b) the retention of that Federation within the British Commonwealth of Nations when it gets self-government.

If we can ensure a high standard of honesty in public life and at the same time secure those two aims, all well and good; but in the present state of moral development in this Region I do not think that is possible. I suggest therefore that we should concentrate on achieving our real aims and leave the other to follow in due course, since in fact only education can raise the moral standard of a people.

5. My own view, therefore, is that:—

- (a) the Secretary of State should not attempt to force an election before the Conference,
- (b) the Secretary of State should not make any overt attempt to persuade Zik to retire from public life, it being left to the Governor to advise Zik in personal conversation as to what appeared to him to be Zik's proper course in view of the criticism in the report, and
- (c) the Secretary of State might make it a condition of the grant of self-government—the necessary decisions having been taken to confer self-government on this Region at the Conference—that there should be an election in this Region before the date of self-government in view of the critical nature of the report.

6. I am sending copies of this letter to the Governor-General and the Governors North and West.

375 CO 554/1140, no 19

28 Sept 1956

[African Continental Bank affair]: letter (reply) from Sir J Robertson to C G Eastwood advising that action should not be taken against Dr Azikiwe

I am writing in reply to your letter WAF/71/3/02 of the 20th September.¹ I too have been thinking hard about the situation which we shall have to face after the Tribunal reports.

2. I believe from the evidence which I have read up to date that the Tribunal's Report is most likely to fall within category (c) of your second paragraph. I am told that this is Mr. MacKenna's² view at the present time—we still have some of the most important evidence to come forward: Mr. Eyo's, Dr. Azikiwe's and Mr. Ojike's, and of course, what Clem Pleass may say. But MacKenna has no doubt already seen the statements which they are putting in and, if his view as quoted is correct, it is presumably based on his knowledge of the whole case, not only on what has appeared so far in public.

3. I agree with your resume of the constitutional position. I have not yet seen the Secretary of State's views on the question of forcing an election, which you said were coming by Personal telegram. This question of an election is complicated by many factors, of which two are perhaps the most important: the effect of such action on the Conference date, and political considerations in the U.K. and here.

4. I agree with you that the N.P.C. and the Action Group distrust Zik deeply, and there seems little hope of the country settling down harmoniously while he is still a leading figure in politics. But the N.P.C. distrust the Action Group just as much, and although Awolowo for instance always stresses his desire to work harmoniously with the North, and although in their fundamental outlook on the relationship between the Federal and Regional Governments the parties have much in common, yet in action they show no signs of working in any sort of harmony; the present situation at Ilorin, and the recent peculiar newspaper attacks on the North for being pro-Nasser are instances of their antagonism.

On the other hand, Zik and the N.C.N.C. have one merit: so far they have stood for 'one' Nigeria, no doubt with their own ambitions in view as well as for national considerations. But to that extent they are our allies in our aim of not allowing Nigeria to break up. We would perhaps be the losers therefore if the N.C.N.C. as a party broke up, a result which might easily occur if Zik retired and left the party without his leadership.

Again, there seems little likelihood of any other party being able to form a government in the East except the N.C.N.C. If Zik remains in politics he will lead the N.C.N.C. either in the East or at the Centre. If he remains and we won't have him either as Premier in the East or as a Minister at the Centre, we will have to run the East without a constitutional government, and will have great difficulty in forming any Government in the Centre, if the present estrangement between the Action Group and the N.P.C. continues.

5. I don't believe there is any chance of working on any of Zik's colleagues to get him to resign and retire. The party centres round Zik and the party is built on a

¹ See 373.

² Brian MacKenna, counsel to the Tribunal.

personal basis. There is no one else who could take his place without great damage being done to party unity. Dr. Mbadiwe, the leader at the Centre, is not popular: he is an Aro and not an Ibo. Abubakar, though admitting that Mbadiwe has some good points, laughs at him and tells me that he (Abubakar) has had to come to his help with his own people on several occasions. He is hard put to it to keep the Western wing of the party in the House of Representatives in line, and I don't think that, possibly because of his tribal connections, he commands much loyalty in the East. He has lost a good many marks with commercial people and for instance, with the U.S. Consulate, for his recent stupid attacks on the Secretary of State and on H.M.G. The Consul-General told me that the golden opinions Mbadiwe had gained on his recent visit to the U.S.A. had been squandered.

I also don't think I trust Mbadiwe enough to attempt to 'detach' him from Zik. He might like to think of himself as the national leader, but I doubt if he is strong enough, and he might well turn right round and disclose any attempts I had made to work on him.

No other N.C.N.C. minister can command much support. Njoku hasn't the personality and the others, both in the Council of Ministers and in the East, hardly begin to fill the bill as far as one can see.

6. If H.M.G. were to tell Zik that he should retire, and he refused to, as I think he would certainly do under the pressure of his party, he would then take up a position of more or less permanent opposition to H.M.G., the Federation and his own Government. In office he would be impossible to work with, and out of office he would be a dangerous anti-British agitator. I believe that although a number of sensible people realise the harm he has done in the last two years in the East, the mass of the population is ignorant and uneducated and will vote him back to power: though I am told that in spite of the recent N.C.N.C. campaign to whip up enthusiasm, he is considerably discredited and does not have the influence he had some years ago. Abubakar told me his popularity had waned.

7. I agree that Zik's continuance in office will have a very bad effect outside Nigeria on the chances of overseas investment and capital for development. But this is not likely to worry the Ibo electorate very much. It will merely be another sign of the 'colonisers' slapping down the courageous leader of an emergent self-governing Nigeria. Njoku the other day admitted that the Tribunal's revelations about the Bank and the Eastern Government's financial irresponsibility had done Nigeria and the Eastern Region much harm in the U.K. and the U.S.A. He said he tried to keep cheerful, but he knew that overseas investors had been shaken. Maybe these feelings will spread, and more people will begin to realise the mess their leader has got them into.

8. This is all pretty negative and I'm afraid I don't see any clear solution. Perhaps the only hope of getting rid of Zik (unless Providence helps us or he decides he would be happier away from it all) lies in the North. If the Northern leaders refused to take part in a Government, or attend a constitutional conference with a Zik against whom serious impropriety had been proved, then some of those who know how bad a leader Zik really is, might be prepared to come out against him. I do not however see the Northern leaders making such a stand. They are busy on their own Regional affairs, and those at the Centre, especially Abubakar, are delighted to see the Ibo East getting into a mess. Abubakar would, I believe, like to see the East in chaos and ruin just to show the Northerners what the Southern politicians are like, and to warn them of

the danger of putting themselves under the control of such people as Zik and Mbadiwe.

Njoku said 'It will take us ten years to recover from this' and may be he was right. Perhaps, rather than by 'boycotting' Zik and risking turning him into an Ibo martyr, fighting for freedom against imperialism, we must just struggle on in even worse conditions of parliamentary government and administration than we have experienced for the last two years, in the hope that eventually sufficient honest and enlightened people will be thrown up to rebuild the prosperity and good government of the Region. The more enlightened members of the community already know that the doings of Zik's government in regard to the African Continental Bank were foolish and irresponsible. Let us hope the realisation will spread.

9. I'm afraid this is all very pessimistic and unconstructive, but I am not at all clear about it all, and will hope to write you again later as the situation develops.

I am sending copies of this to Rankine, Pleass and Maddocks.

376 CO 554/1140, no 20 22 Oct 1956
[African Continental Bank affair]: letter (reply) from C G Eastwood to Sir J Robertson on the timing of an election in the Eastern Region and the impact of affairs in the East an secessionist tendencies in the North and West

We are very grateful for the helpful replies of Pleass (his Secret and Personal letter NCE/11/231 of the 27th September) and yourself (your Secret and Personal letter G. 382/85 of the 28th September) to my 'thinking aloud' letter of the 20th September.¹

2. It seems from what you and Pleass say that there is very little likelihood of Zik retiring from politics and that we are likely to have to continue dealing with him for some time to come. It does not at all surprise us that this is your view and we of course accept it.

3. This letter is written on the assumption that the Tribunal will find Zik to have infringed the Code of Conduct of Ministers, to have received material benefit through this infringement and still to be in enjoyment of this benefit but not to have been guilty of anything of a criminal nature. On these assumptions the letter considers the line which should be taken by (a) the Governor or Acting Governor of the East and (b) the Secretary of State.

4. Pleass suggests (para. 5 (b) of his letter) that if anyone in authority is to advise Zik as to his proper course in view of the criticisms of the report it should be left to the Governor to do this, in personal conversation. It seems to us that it will be difficult for the Governor to do less than suggest to him that he should either vacate office or go to the country. He could, I suppose, suggest to him that he need not go to the country until after the Conference. The Secretary of State, as you will have gathered from other telegrams, has accepted your advice that he should not try to force an election before the Conference. (His telegram Personal No. 268 of the 24th September, repeated to Pleass as Personal No. 113 was meant to say this. We did not perhaps make it wholly clear).

¹ See 373, 374 and 375.

5. I suppose there is the chance that Zik might nevertheless want to go to the polls at once, after the report is presented and before the Conference. It now seems that there would hardly be time for him to do it without a further postponement of the Conference. This would be awkward, as it obviously would not please the West but we could hardly prevent him from going to the country if he wants to. I do not think we can usefully speculate now what to do in such a case but can only consider it at the time.

6. If Zik does not want to go to the polls at once, the Secretary of State may find that he is asked awkward questions in the House here as to what his attitude is on the report and what action he is taking on it, and why he is undertaking important constitutional discussions with a leader about whom such discreditable facts have been proved. If Zik had not agreed to go to the country after the Conference, I do not exactly know how he could answer these questions and he might well have to say that he was going to insist on an election after the Conference as a condition of granting the East Regional self-government. If it was the Secretary of State's intention to insist on elections after the Conference and he did not have to make this public for Parliamentary reasons, he would still, I think, have to tell Zik as it would hardly be fair to him to let him come to the Conference without knowing what the Secretary of State had in mind.

7. I find it difficult to assess the effect of this on Zik. It might make him more amenable at the Conference or it might not alter his attitude very much. We should not doubt wish to present matters so that Zik appeared an obstacle to the grant of Regional self-government. For instance there could be a paragraph in the report of the Conference to the effect that arrangements for Regional self-government could go ahead in the West straight away but that, because of the criticisms of its Premier, arrangements in the East would have to be held up until after a general election. Nevertheless I cannot help feeling that Zik would be able to appear at the elections as the man who had got the East Regional self-government and that he could thus be pretty confident of getting back and of his banking misdeeds being overlooked by the electorate. I am inclined to think therefore that the prospect of an election after the Conference may not really make Zik much more amenable. However he would no doubt be less difficult than if he had just triumphantly come from the polls with an overwhelming majority behind him.

8. I am afraid that this is all rather speculative and I doubt whether we can carry matters much further at present. In reaching decisions we shall of course have to bear in mind their effect not only in the East but on the standards of Ministerial conduct elsewhere in Nigeria and on the authority we can in future expect the Code of Conduct of Ministers to command.

9. In this connection there is one point in particular on which we should like to know what you think. At different times both the North and the West have shown marked secessionist tendencies and it seems probable that among some sections of both the Action Group and the N.P.C. such thoughts are never far below the surface. To date we have been able to counter these tendencies by emphasising the (mainly economic) advantages of a united country. But if despite an adverse report by the Tribunal Zik can ride the storm with the support of his people and so in effect consolidate his position, the attractions of a united Nigeria with so powerful and crooked a bedfellow substantially diminish. I do not suppose that either Awolowo or the Sardauna are morally entitled to take a 'holier-than-thou' attitude, but it might

suit them politically to do so if they wanted to press for the right to secede and this time our defences would be rather weaker. Perhaps you would let us know what you think of the likelihood of this attitude being taken.

10. I am sending copies of this letter to Pleass, Rankine and Maddocks.

377 CO 554/1140, no 25 26 Oct 1956
 [African Continental Bank affair]: letter (reply) from Sir C Pleass to
 C G Eastwood on the timing of the Eastern Region election and on
 secession

With reference to your letter WAF 71/3/02 of 22nd October, 1956, I would like to offer the following comments.¹

2. In your paragraph 4, you say 'It seems to us that it would be difficult for the Governor to do less than suggest to him that he should either vacate office or go to the country'. On the assumption that the report finds as suggested in your paragraph 3, I think the only advice which the Governor should give to the Premier would be that he ought to resign his office as Premier. I think it would be quite wrong, following such findings, for the Governor to advise the Premier to go to the country. I know perfectly well that if he goes to the country he will be returned with a big majority; so does he. So to give him such advice would be to imply that I was condoning his misconduct, and suggesting a 'way out' whereby he could, by appealing to the electorates' emotions, avoid the proper consequences of his 'guilt'.

3. With regard to your paragraph 6, if the Secretary of State is pressed in the House of Commons on this issue, I would suggest that he should say that, as there was a Constitutional Conference going on, the outcome of that Conference might well be jeopardised by premature discussion in the House, and should ask Members to refrain from pressing him on any point connected with the Conference until it was completed.

4. With regard to your paragraph 7, I quite agree that Zik will be able to appear at the elections—if they are held after the Conference—as the man who had got Regional self-government for the East and that he can be perfectly confident of being elected by a large majority, and of his banking misdeeds being overlooked by the electorate. The main reason for suggesting an election after the Conference rather than before was that if an election is held before the Conference it will be fought on anti-British, anti-imperialist, anti-monopoly slogans, whereas if it is held after self-government has been granted there will be no point in fighting it on those slogans because the sting will have been taken out of them. Nor do I think that Zik should be told before he goes to the Conference that the Secretary of State has it in mind to insist on an election in the East. Why should he be so told? The point is, however, probably now academic because, as you will see from my Savingram No. P. 25 all our information goes to show that he will do his utmost to have an election before the Conference.

5. With regard to your paragraph 9, from such information as is available to me, I should say that Nigeria is nearer at this moment to being split into three parts than

¹ See 376.

it has ever been before, and that if Zik holds, and wins, an election before the Conference, the Secretary of State will have the greatest difficulty at the Conference in securing a strong Federal Government and resisting a demand for the Regionalisation of the Police.

378 CO 554/843, no 7 5 Nov 1956
[African Continental Bank affair]: letter from K P Maddocks to C G Eastwood on likely NPC attitudes to secession in the light of the ACB affair **[Extract]**

... In paragraph 9 of your Secret and Personal letter WAF 71/3/02 of 22nd October to the Governor-General,¹ you refer to the secessionist tendencies which have been shown at different times by the Action Group and the N.P.C. and ask whether they are likely to be increased if Zik succeeds in consolidating his position despite an adverse report by the Tribunal. It is true that among many of the leading members of the N.P.C. thoughts of ultimate secession are never far below the surface and there is no doubt that the view which is voiced most frequently by Abubakar, that there is little prospect of the continuance of a unified Nigeria after the attainment of full self-government, is strengthened whenever some new scandal comes to light in the East. On the other hand, Ministers do fully realise the great economic advantages of unity and they are unlikely to press for the right to secede merely because the Tribunal has established the already well-known fact that Zik is crooked. If its censure results in a strengthening of his position, their present day-dreams of an ultimate break away may harden into a determination to work specifically to that end. But they are unlikely to raise the matter at the forthcoming Conference unless they are goaded by excessive pressure on matters (such as female suffrage)² upon which they have strong feelings. If pressed too far, they might well use the findings of the Tribunal as an excuse for staging a walk-out.

¹ See 376.

² Under the 1954 constitution the electoral franchise for federal as well as regional elections was decided by each individual region; in the North (where elections to the House of Representatives were indirect) the franchise was restricted to adult males. During 1955 and 1956 considerable pressure developed, not least from the NCNC, to insist on a uniform electoral law applicable across the federation but the 1957 constitutional conference agreed to a continuation of the adult male franchise in the North.

379 CO 554/843, no 29 7 Nov 1956
[African Continental Bank affair]: letter (reply) from Sir J Robertson to C G Eastwood on attitudes to secession in the light of the ACB affair **[Extract]**

I have not hitherto replied to your Secret and Personal letter of October 22 about the probable course of events if Azikiwe is censured by the Tribunal but is not found to have been guilty of anything for which a prosecution would lie.¹ As you say, all

¹ See 376.

thoughts on this subject are necessarily rather speculative and with each succeeding day there has been fresh cause for speculation. Azikiwe is getting through his evidence without any unduly hysterical outbursts and we may come to the end of the public hearings without anything having happened to drive him into one course or another. But there is always the possibility that some question or other will get right under his skin and he will so behave as to commit himself definitely to some particular line of political action. For that we must just wait and see.

2. Our new Minister from the West, J.M. Johnson,² has been unusually communicative to his Private Secretary and seems to be convinced that Azikiwe's idea is to seek a dissolution so soon as the Tribunal's public hearings are over and before the Report is published. In a fairly free and uninhibited conversation which I had with Dr. Mbadiwe yesterday, however, he did not give me the impression that the Party had come to any fixed decision. We have no sure knowledge one way or the other; nor can it be assessed with any certainty at this stage whether the Governor of the East would or would not have good ground for refusing a dissolution. Again we can but wait and see. But I have asked (telegram Pers. 257) that the Secretary of State should call for the views of other Governments on Azikiwe's reply that he can not accept a firm date for the Conference at this stage and that may cause him to show his hand.

3. There are other strong rumours from various sources that Azikiwe has no intention of attending a Conference in London whether it is held in January or later.

4. All these are matters of speculation and I feel that we can only go one step at a time and that to attempt to peer too far into the future can lead us nowhere.

5. In your seventh paragraph you suggest that if the Secretary of State were to tell Azikiwe that an election after the Conference (if none had been held before or if Azikiwe had not already agreed to go to the country) would be a condition of self-government this might make Azikiwe more amenable at the Conference. I do not think this likely. And if, as you suggest, there were a paragraph in the report of the Conference that arrangements for self-government in the West could go ahead straight away but that arrangements in the East would have to be held up until after an election because the Tribunal had censured the Premier, I think that this would merely give Azikiwe a splendid chance of asserting in the election campaign that the true reason for the Tribunal was merely to avoid fulfilling the promise of self-government and would enable him to sink his own personal shortcomings in a sea of righteous indignation that the Secretary of State was trying to obstruct the aspirations of the East.

6. I do not think that the fixing of the date of the Conference should have regard to the possibility that Azikiwe might be more amenable with an election in prospect than with a triumphant return to power at an election just behind him. The date will have to be fixed with regard to the possibility of gathering together at the earliest possible moment at least a reasonable majority of the various important shades of political opinion in the country and we shall have to take Azikiwe as we find him at that time—if indeed he is there.

7. In your ninth paragraph you ask whether I think it likely that if there is an adverse report on Azikiwe and yet he rides the storm and retains the support of his people, this will strengthen secessionist tendencies in West and North. The best

² Federal minister of internal affairs.

assessment I can make is that secessionist tendencies, particularly in the North, are much more likely to be aggravated by offensive conduct at the Conference, and I see that Maddocks takes the same view in his letter G/4040/S.2/199 of the 5th November,³ or deliberate obstruction of the holding of a Conference than by anything the Tribunal may say about Azikiwe. The Nigerian politicians know Azikiwe better than we do; they have no illusions and know him for what he is; they are unlikely to be much moved by what a Tribunal, functioning according to the conventions of British justice, considers to have been proved against him. Months ago, when the Tribunal was in prospect, Abubakar told Grey that it would make no difference to the Ibo people whether or not an Inquiry established that Azikiwe had been caught redhanded in stealing public money—the people of the East would still follow him. And recently the Sardauna told Maddocks that he and his people knew Azikiwe for what he was but could not, for that reason, decline to sit at a Conference table with him. I think that Awolowo holds the same view. I do not think that either the North or the West would regard a re-election of a censured Azikiwe as showing him to be any more powerful than they have always known him to be—nor is the Report of the Tribunal likely to make them think that he is any more crooked than they now believe him to be. The North is tired of all Southern politicians and the secessionist embers may be fanned into flame by any selfish and disreputable conduct of either the N.C.N.C. or the Action Group, but I do not think that they are likely to be much influenced by the Tribunal's findings. I think that the continual pinpricking criticisms of the Southern newspapers and political speeches are more potent factors in fanning secessionism than the results of the Tribunal will be.

8. The Action Group is not, so far as I know, unwilling to continue in a Federation with the East because its chosen leader is crooked; and if he is censured they will probably think him less powerful rather than more powerful than now. Their secessionist tendencies seem to me to spring not from fear or distaste for other Regions but from a desire first and foremost to get on with the establishment of their own self-governing Region. . . .

³ See 378.

380 CO 554/1140 31 Dec 1956–2 Jan 1957
[African Continental Bank affair]: minutes by D Timms, T B Williamson, Sir K Roberts-Wray and C G Eastwood on the conclusions of the Foster-Sutton report

[The Foster-Sutton Commission report was published in Jan 1957, *Report of the Tribunal Appointed to Inquire into Allegations Reflecting on the Official Conduct of the Premier of, and certain persons Holding Ministerial and Other Public Offices in, the Eastern Region of Nigeria* Cmnd 51 (London, 1957). The report, while accepting that Azikiwe's primary aim was to liberalise credit in the region through encouraging an indigenously-owned bank, made several criticisms of his conduct and in an often quoted passage, stated that 'in considering whether Dr Azikiwe has been guilty of improper conduct, in his capacity as a Minister, in connection with the affairs of the African Continental Bank, we apply what we think would be the standards of right-thinking citizens, unbiased by their political opinions. Applying that test, we consider his conduct in this matter has fallen short of the expectations of honest, reasonable people' (paragraph 194). In reply, the Eastern Region government dismissed the commission's conclusions as falling short 'of

the expectations of honest, reasonable people uninfluenced by the very nature of their appointment'. Following this, Azikiwe requested a dissolution of the Eastern House and elections were held in March 1957 (389).]

Mr. Williamson

The Foster-Sutton Tribunal were satisfied that the African Continental Bank was saved from disaster by the aid of public funds on two occasions (paragraph 195 of Report):—

- (i) by the deposit of, £30,000 by the Eastern Region Production Development Board towards the end of 1954 (paragraph 44) and
- (ii) by the investment and deposit of sums totalling some £2m by the Eastern Region Finance Corporation in June 1955 (paragraph 122).

2. The Tribunal were satisfied that after Dr. Azikiwe became a Minister on 1st January, 1954, he continued to use his influence to further the interests of the African Continental Bank (paragraph 196). Examples of such action are:—

- (i) *Paragraphs 42 and 43.* Dr. Azikiwe asks Mr. Eyo to arrange the £30,000 deposit by the E.R.P.D.B.
- (ii) *Paragraph 48.* Dr. Azikiwe intervenes in Executive Council discussion to support the proposed £30,000 deposit in the A.C.B.
- (iii) *Paragraph 61.* Dr. Azikiwe allows false information to stand before Executive Council. If he had given Council the facts about the A.C.B. the £30,000 deposit might not have been made.
- (iv) *Paragraphs 115 and 116.* Dr. Azikiwe writes to Mr. John Holt about the management of the A.C.B. The Tribunal were satisfied that this letter showed that Dr. Azikiwe knew of the impending investment by the Finance Corporation.
- (v) *Paragraph 175.* The Finance Corporation's investment in the A.C.B. was initiated by Dr. Azikiwe and his colleagues. (Dr. Azikiwe's part is nowhere explicitly stated).

3. The Tribunal were unable to discover (paragraph 89) the origin of the Agreement (paragraph 100) executed on 20th May, 1955, between the Finance Corporation and the African Continental Bank. Since the Agreement was drawn up before the Finance Corporation was established (paragraph 90) Ministers must have been responsible for it. The Tribunal were satisfied (paragraph 101) that Mr. Ojike, Dr. Mbanugo Mr. Okoye and Mr. Blankson knew all about the Agreement.¹ The Tribunal were also satisfied that Dr. Azikiwe was aware of its general purport (paragraph 114) and further that Dr. Azikiwe must have known as early as 18th March, 1955 (paragraph 115), that such an agreement was intended. The Tribunal also point out (but draw no adverse conclusion) that Dr. Azikiwe may have facilitated the transfer of £2m from the Marketing Board to the Finance Corporation (paragraphs 69 and 70), a transfer which made the Agreement possible. The Tribunal suggest that the secrecy surrounding the Agreement and the investment may have been due to the knowledge that it was unduly favourable to existing shareholders of

¹ M M Ojike, Eastern Region minister of finance; Dr G C Mbanugo, chairman of Eastern Region Finance Corporation; C C Okoye, deputy chairman of Eastern Region Finance Corporation; A K Blankson, appointed governing director and chairman of the ACB following Azikiwe's appointment as a minister in 1954.

the A.C.B. (paragraph 105), to fear of opposition in Executive Council (paragraph 110) and to knowledge that the public interest had suffered (paragraphs 163 and 164). The Agreement was approved by the A.C.B. four days before the Finance Corporation was inaugurated (paragraph 132). The Agreement was never formally approved by the Finance Corporation (paragraph 102) and may therefore be invalid.

4. In view of the important rights given in Section 13 of the Agreement to the 'Founder and/or Governing Director' of the African Continental Bank the Tribunal examined the Articles of Association of the Bank which were amended on 20th July to define the 'Founder' as Dr. Azikiwe (paragraphs 134, 135 and 137). This amendment was made without the knowledge of the Finance Corporation, the largest shareholder in the A.C.B. (paragraph 136); the Corporation subsequently protested (paragraph 139) and insisted that Dr. Azikiwe's name should be removed from the Articles. That was done (paragraph 140) but the legal effect was unchanged (paragraph 141). The Tribunal do not say whether they found that Dr. Azikiwe was party to these arrangements. The Tribunal seemed satisfied, nevertheless, that Dr. Azikiwe intended to retain the ultimate control of the Bank (paragraphs 191, 193, and 196) despite his undoubted knowledge of the use of public moneys.

5. Dr. Azikiwe bought Tinubu Properties Ltd., which become the African Continental Bank, for £250 in 1944 (paragraph 13). Appendix C shows that by 31st March, 1955, he had apparently invested £1,550 in 28,000 shares in his own name, £1,260 was invested in 16,100 shares by members of his family (Azikiwe, Arinzes and Nwosisi) and £18,800 was invested in 59,900 shares by the Zik Group of companies in which Dr. Azikiwe had an interest averaging about 45% (paragraph 131). Dr. Azikiwe's direct and indirect investments in the African Continental Bank appear therefore to have been at least £1,550 and at most £11,270. The Tribunal considered that the shares in which this money was invested were worthless on 31st March, 1955 (paragraph 120e). After the Finance Corporation investment, the Tribunal estimated the value of Dr. Azikiwe's own shares at 14/10d per share, to be £20,770, those of his family to be worth £11,938 and those of the Zik group to be worth £44,425 (paragraph 131). On this basis Dr. Azikiwe's direct and indirect shareholdings benefited from the investment by at least £20,770 and at most by £52,699. By clause 3 of the Agreement (paragraph 100) however, shareholders could require the Finance Corporation to purchase their shares at par. On that basis Dr. Azikiwe's direct and indirect shareholdings would have benefited from the investment by at least £28,000 and at most by £71,055. Dr. Azikiwe also received in Director's fees £5,252, other members of his family receiving a total of £3,550 (paragraph 145). These payments could not have been made without the Finance Corporation's investment and the Tribunal considered them of doubtful propriety (paragraph 148). Dr. Azikiwe's minimum gain from the investment (i.e. assuming that Dr. Azikiwe would only benefit directly from his own shareholdings valued at £20,770 (14/10d per share) and from his own Director's fees of £5,252) is therefore seen to be £26,022 which more than offsets the total sum of £11,270 which he could have put into the A.C.B. directly or indirectly. Dr. Azikiwe's actual immediate gains from the investment were probably much more than £26,022. Moreover, his party, his bank and his other companies had apparently been made financially secure.

6. The Tribunal refer to a number of other instances of possible misconduct on the part of Dr. Azikiwe, e.g.:—

- (i) It is implied that Dr. Azikiwe deliberately timed his libel action to prevent a debate in the House of Assembly on Mr. Eyo's motion (paragraph 190).
- (ii) Dr. Azikiwe attempted to mislead the Secretary of State at the interview on 10th November, 1955 (paragraphs 159–161).
- (iii) Dr. Azikiwe deliberately misled Sir Clement Pleass (paragraphs 171–175 and 177).
- (iv) Dr. Azikiwe knowingly let false statements be put into a White Paper (paragraphs 176 and 180).
- (v) Dr. Azikiwe lied on oath before the Tribunal (Paragraphs 43, 47, 49, 54 and 55).

7. Apart from their findings against Dr. Azikiwe, the Tribunal:—

- (i) found that the late Mr. Ojike lied on oath before the Tribunal (paragraph 80) and did not act with proper regard to the public interest (paragraphs 107–110 and 201);
- (ii) found that the Chairman of the Finance Corporation, Dr. Mbanugo, and his Deputy, Mr. Okoye, acted improperly with regard to the Agreement (paragraphs 202–205). Mr. Okoye also lied on oath before the Tribunal (paragraph 80);
- (iii) found that Mr. Blankson, acting Chairman of the A.C.B., lied on oath before the Tribunal (paragraphs 54, 55, 56, 57 and 80) and lied to the Financial Secretary of the Federation (paragraphs 58, 59, 60 and 75).

8. Perhaps our Legal Advisers should consider whether charges of 'perjury' could be preferred against Dr. Azikiwe, Mr. Blankson and Mr. Okoye. Whatever may be the legal position, however, I doubt whether much good would result from pressing such charges.

9. I doubt whether Dr. Mbanugo and Mr. Okoye can now be effectively punished for their part in arranging the Agreement between the Finance Corporation and the A.C.B. They are no longer Chairman and Deputy Chairman of the Finance Corporation since the Corporation has been taken over by the Development Corporation. Clearly, however, they should not be allowed to hold any public offices.

10. The African Continental Bank must, I think, be kept in being but as a properly run bank under public control so long as the majority of its capital is public money (see paragraphs 41, 127 and 128). The Deloitte, Plender and Griffith Report shows what has to be done and the Financial Secretary has power to do it. Mr. Blankson should, of course, be sacked. The Agreement with the Finance Corporation, whether valid or no, should be scrapped and replaced by one which strikes a fair balance between the rights of the old shareholders and the public interest. Expert advice may be required on that.

11. Dr. Azikiwe's conduct was clearly in breach of the Ministerial code of conduct (see paragraph 4(c) of appendix G) and he should resign. The Tribunal also found him guilty of misconduct as a Minister in not relinquishing his financial interest in the Bank when the proposal to inject public monies into it was first mooted (paragraph 197). Clearly he should not be allowed to retain any financial benefits arising from the use of these public monies. His Director's fees should be refunded. So far as his personal shares in the Bank are concerned perhaps they should be surrendered to the Development Corporation at a price to be determined in the light of the action proposed in paragraph 10 above. What should be done about his indirect holdings through the Zik group is less obvious at this stage. It would not seem

desirable, for example, to force the 'Pilot' either into public ownership or into liquidation. Perhaps expert advice on that problem will also be required.

12. Whatever may be decided about what Dr. Azikiwe ought to do the tactics of getting him to do it will be all-important if serious trouble is to be avoided in Eastern Nigeria. I think that Dr. Azikiwe should be given the opportunity to volunteer to take the necessary action, i.e. he should be given a copy of the Report and asked what he proposes to do about it and the Secretary of State should not disclose his intentions until Dr. Azikiwe has had this opportunity. He might well be prepared to do the right thing without any prompting (I think, however, that he will probably ask for advice). Meanwhile, of course, we could put our views in secret and personal correspondence to the Governor-General and the Governor East and seek their comments.

D.T.

31.12.56

Mr. Eastwood (through Sir Kenneth Roberts-Wray)

I have discussed this Report, and what should be done about it, with Mr. Timms (whose minute of the 31st December is most useful) and with Mr. M.G. Smith.

In the light of some most helpful suggestions which they have made I submit a draft telegram which indicates with some precision what we think the line should be.

It is important to note, in view of the Secretary of State's own views on the point, that the Tribunal have 'judged' Zik by local standards: the phrase 'right thinking citizens' in paragraph 194 can only mean Nigerian citizens. The Tribunal have not sought to measure him against the very high standards obtaining here—expect insofar as Zik himself accepted those standards by his acceptance of Mr. Lennox-Boyd's despatch of the 1st December, 1951 (a copy of which is at Appendix G of the Report).

I think everyone will agree with the Secretary of State's view—his minute at 38A—that the Report is 'pretty damning'; and that there can be little question but that Zik has only one course of conduct open to him, namely to resign.

Zik is the only member of the Eastern Regional Government who is censured, so the matter does not seem to be one on which the observations of that Government should be sought, at least initially. It is for Zik alone to decide what he should do.

That being so, it may be that he will decide to go without trouble. We have been told that some of his colleagues have been highly dissatisfied—as a result of what came out before the Tribunal—with the way in which he failed to take them into his confidence, and they may be willing to carry on the Government without fresh elections. Sir Robert Stapledon's telegram Personal No. 91 of the 29th December (registered to other papers) ended up by saying that 'there is evidence that influential opinion does not at present desire fresh elections'. We have also been told, indirectly, that Mr. Ojiako's information is that most of the N.C.N.C. backbenchers in the East would be strongly averse from being put to the expense which fresh elections would entail.

But however that may be, our course seems clear. The Secretary of State, on the Governor-General's advice, decided last July to make a stand for honesty by appointing the Tribunal. The consequences now follow. It is to be hoped that the Secretary of State himself will not need to intervene, and that the various matters at issue can be satisfactorily, and rightly, settled in Nigeria between the Governor-General and the Governor on the one hand and the culprits on the other. But in the last resort the Secretary of State may have to consider to what extent he is going to insist on certain minimum requirements.

I am passing the papers through Sir K. Roberts-Wray. He has read the Report, and is of course interested generally. I would like to invite his attention in particular to paragraph 8 of the draft telegram, about possible proceedings for perjury.

In the case of the Lynskey Tribunal, Mr. Timms informs me, the Attorney-General here stated that he did not think the proceedings of the Tribunal should be used as a basis for criminal proceedings (generally, including perjury). But that is not necessarily a precedent for the present case. Already criminal proceedings for perjury have been instituted in Nigeria against one, relatively unimportant, witness; and if the Attorney-General is going after little fish, he ought to—and no doubt will—consider what to do about the big ones. I think the point should be put.

I have sent a copy of Mr. Timms' minute, of this one, and of the draft telegram, direct to Mr. Galsworthy, in case he wishes to comment.

? As in draft telegram.

T.B.W.
31.12.56

Paragraph 2 of draft telegram

I do not think we can say it is clear that the Report means Nigerians in using the phrase 'right thinking citizens'.

Paragraph 6

I assume that it is no news to anyone in this Department that the general view in Nigeria is that the Report, whatever its contents, will not affect Zik's popularity or his political future so far as the electorate are concerned.

Paragraph 7

I am very far from sure that Zik can be compelled to surrender his financial benefits. This is in the first place a matter for consideration by the Attorney-General in Nigeria, but I have made one suggestion for his consideration.

I have suggested inserting the words 'at least' in the second sentence. Even if he divests himself of any control of the Bank, I should have thought that even some people in Nigeria would be rather shocked if he were again to become a Minister, particularly if he sticks to his ill-gotten gains.

Paragraph 8

We cannot say what chances there are of a successful prosecution for perjury; it must be borne in mind that you cannot get a conviction on the evidence of one person.

K.R.W.
1.1.57

Sir John Macpherson

I now send forward the Report on the Zik Tribunal which you have already seen.

Please see the very clear minutes by Mr. Timms and Mr. Williamson above. I agree generally with the line of action proposed in Mr. Williamson's draft telegram subject to the following comments. I attach an expanded draft which takes account of them:—

Para. 2. I have amended the last sentence to correspond more closely with what the Report actually says. I am not really sure that the point is worth making.

Para. 4. The Report is of course made to the Secretary of State and technically therefore it is for him to make the first move on it. On the other hand there are certain disadvantages about bringing it formally to the notice of the Federal or even the Eastern Regional Governments. The Federal Government would certainly be much embarrassed if they were asked to express an opinion on the action that ought to be taken. I feel therefore there is a good deal to be said for no formal action being taken for a while after the Report has been published until we see what happens. By that time the Secretary of State may well be back. The Report will be published on the 15th January and the Secretary of State should be back in the Office on the 28th January. Incidentally he is likely to be passing through Lagos Airport on Saturday the 26th January and to have about three hours there, when he could probably very usefully have a discussion with the Governor-General and the Governor of the Eastern Region. We cannot however say anything about this quite yet.

I have expanded Mr. Williamson's para. 4 in the light of the above.

Para. 6. I am sure that by all proper standards Zik ought to resign and go into the wilderness for a long long time. But I am not quite so sure that it would be good tactics for the Secretary of State to say so publicly or even to advise Zik accordingly. What would happen then if he did not resign? I have therefore expanded this paragraph to invite the views of the Governor-General and Sir Robert Stapledon on this.

Para. 7. Desirable though it no doubt is that Zik should disgorge his financial gains, Sir Kenneth Roberts-Wray, with whom I have discussed this, is very doubtful whether it will be practicable to get any of the money back. The fees which he and his family received were in fact money due to them. For the rest it appears that Zik has not actually 'touched' any money; all that has happened is that his own and his companies' investments in the Bank which before were worthless are now worth quite a lot of money. But there is a possibility of getting him for the offence of 'unjust enrichment', an offence which I understand has recently been 'invented' by the Courts to cover cases somewhat on these lines.

Para. 9. I attach extracts² from yesterday's Daily Telegraph and Manchester Guardian showing that one of the witnesses before the Tribunal has been sentenced to 18 months hard labour for giving false evidence. I have expanded this paragraph to include a reference to this case.

C.G.E.
2.1.57

² Not Printed.

381 CO 554/998, no 68

[Jan 1957]

['Nigeria constitutional conference 1957: revenue allocation' CO brief
[Extract]

... 7. Although on present evidence there is no real need for a review for the sole purpose of redistributing existing revenues among the Governments the Regional Governments will probably press for a review with the specific (though possibly

unspecified) object of getting more money for themselves.¹ The Eastern Region in particular is likely to insist on this since it has undoubtedly fared worse than the North and West under the present system, a perhaps inevitable result of the apparent emphasis on 'derivation' made in Chick's terms of reference (Annex 2)² as decided at the London Conference of 1953.³ If the East do not get their way, the N.C.N.C. may well abandon their stand for a strong Federal Government in favour of the 'regionalisation of everything'. All parties now seem ready to have revenues allocated with some regard to 'need', perhaps by way of a 'capitation grant', though the Action Group (who have benefited most from 'derivation') attach more importance to 'independent revenues'. This is a welcome development which should be encouraged, since it should contribute to the maintenance of the unity and strength of the Federation provided, again, that any redistribution on grounds of need does not greatly reduce the revenues of the Federal Government, the maintenance of whose financial strength is vital. The N.C.N.C., in its anxiety to get more money for the East coupled with its reluctance to incur political odium by specifying at whose expense this should be done, is likely to demand a comprehensive review of revenue allocation with the widest possible terms of reference. This may, in the end, be the only possible way of reaching any agreed decision at the Conference but it should be regarded as a last resort for the following reasons:—

(i) Annex 1 recounts the repeated attempts that have been made to devise principles and practice wholly acceptable to all parties. The allocation of revenue in all federations has always been, and probably always must be, something of an arbitrary compromise. At some stage in its history Nigeria ought to accept a relatively permanent basis for revenue allocation which will not be discarded *in its entirety* every few years though it might of course have to be reviewed and adjusted from time to time. Having at last got the present system which was accepted by all the parties to the Lagos Conference (even if with some reluctance by the East) and has not yet proved grossly unfair, it seems wiser to proceed by trying to improve the present system rather than by scrapping it altogether.

(ii) All Nigerian Governments (except the East) have drawn up development plans for the period 1955–1960 on the assumption that they will have revenues of the order provided by the existing system. A period of uncertainty now—which might well last for over a year—about their future revenues could not but impede the carrying out of these plans.

(iii) The Chick system has the great virtue of providing the Federal Government with sufficient strength to meet its (present) obligations for basic countrywide development in such things as roads, railways, posts and telegraphs, ports and river communications. The Regions doubtless think that the Federal Government has too much money and they may advance arguments for this belief. The United Kingdom view is that it is to the advantage of all Nigeria, including its external credit, that the Federal Government should remain strong. Annex 8 mentions some particular obligations of the Federal Government which were not taken fully into account by Chick and which must be taken into account at any future review. (Broadly speaking these obligations must be met for the benefit of all the Regions. For example, the Teaching Hospital, Ibadan, is open to students from all parts of the

¹ See 351.

² Annexes not printed.

³ See 304.

Federation). The Federal Government will have fewer political advocates than the Regions and the Secretary of State may therefore have to lend his support to the Federal case.

(iv) The emphasis given to 'derivation' in the present system has some moral justification in that it attempts to allocate revenue in proportion to the amounts earned by the various Regions. It is difficult to imagine a better starting point for allocating revenues than one which attempts to give Regions sums related to what they have earned. An attempt to begin afresh by paying regard primarily, say, to 'need' would be strongly resisted by the Regions who earn most and, if successful, might well have to be reversed again a few years hence. Both the West and North are likely to press for giving the Regions greater powers to raise their own revenue, which is a natural development of the 'derivation' principle, but the West may recognise that capitation grants would then be necessary. Some form of capitation grant might be devised to satisfy the East's desire for allocation more on grounds of 'need' and it certainly would not be opposed by the populous North. There thus seems room for a development of the existing system on lines which should go some way to meeting the views of all parties.

For all these reasons the Secretary of State should try to get the Conference to agree, if there is to be a review by a Fiscal Commission, on terms of reference which specify, with reference to the existing system, the results desired. Any guidance, however indefinite, which can with general agreement be included in the terms of reference will greatly facilitate the task of the Commission and the acceptance of its recommendations. . . .

9. *Conclusion.* There seems little doubt that there will have to be another Fiscal Commission, even if there are to be no substantial changes in the boundaries, powers and responsibilities of the existing governments.⁴ Her Majesty's Government's main interest is to ensure that a fair and efficient system of revenue allocation is maintained with the minimum of inter-governmental friction, with the minimum disturbance of existing plans and—most important of all—with the Federal Government's financial strength preserved. To achieve these aims it will be advisable, first, to invite each delegation to state whether it wants a review of the present system and, if so, what changes it would propose. If the Conference then discusses the various proposals and their likely consequences for all the Governments, it is possible that some fairly specific terms of reference could then be agreed. It is recognised, however, that as a last resort a Commission may have to be appointed with unrestricted freedom to make recommendations for revenue allocation in the light of a fresh examination of the basic principles.

⁴ Sir J Raisman was appointed following the 1957 constitutional conference to examine the issue of revenue allocation between regions. He reported in June 1958. See 431.

382 CO 554/847, no 118

2 Jan 1957

[New regions]: letter from Sir B Sharwood-Smith to Sir R Grey on developing pressures for the creation of a Middle Belt Region

[Elections were held for the Northern House of Assembly in Nov 1956, with the NPC winning, once independents and minor groupings had joined their ranks, 106 seats.]

However the two factions of the UMBC polled relatively well, winning 6 seats each, and this gave new impetus to demands for a Middle Belt Region.]

Please refer to Williamson's Secret and Personal letter WAF 16/3/09 of 10th December 1956 about amendment of the brief for the Constitutional Conference on 'Fragmentation' to take account of the recent developments in the local political situation. I very much fear that this task will, in his own words, be 'a frightful bore' since the kaleidoscope changes so quickly that the draft is likely to require further amendment before the Conference meets.

2. Since it will no doubt be fully covered by Rankine and Stapledon, I do not propose to enlarge on the shift of emphasis which has taken place, largely it would appear for opportunist reasons, in N.C.N.C. and Action Group thinking on this issue, at least so far as its application to the Northern Region is concerned. The present portents, as revealed at the recent Ibadan Conference of the Action Group, are that most if not all of the running will be made by them and paragraphs 5 and 15 of the brief will require some radical amendment. In particular, so far as the Action Group is concerned, mention will have to be made of its alliances with the Ilorin Talika [sic] Parapo and of their success in all four Ilorin Emirate constituencies in the recent election to the Regional Legislature.¹ The Action Group have, of course, hailed this result as representing the expression of the will of the people in this area for the secession of Ilorin and Kabba Provinces from the North and their integration with the Western Region. The validity of the most dubious mandate can be refuted on the following grounds:—

(a) The question of integration was not a major issue between the contesting parties, nor, indeed, was it presented as such to the electorate in the pre-election period. It was only inserted in the successful party's programme four days before the two direct elections and it had not been features at all in the programme which had been put before the electorate in the two rural constituencies where elections had already taken place. Indeed, certain I.T.P. speakers came out strongly against a merger with the West in their election speeches.

(b) The relationship between the Action Group and I.T.P. is already much strained and is growing increasingly so. The two Muslim elected members of this party (Ibrahim La'aro and Alhaji Maito) have shown signs of wishing to cut adrift from the Action Group alliance if the opportunity should present itself and have repeatedly said (in private) that they are against a merger.

(c) In Kabba Province all Action Group candidates were defeated and in some cases lost their deposit. Support for the Action Group is limited entirely to Ilorin Emirate.

3. The summary of the strength and position of N.E.P.U. (paragraph 14 of the brief) will have to be considerably amended in view of the results in the recent election. N.E.P.U. has now succeeded in returning 7 candidates whilst the somewhat inchoate Opposition totals 25 in all (N.E.P.U. 7, Action Group/I.T.P. 4, U.M.B.C. 12—the Paster Lot and Moses Rwang Wing each having 6—and Bornu Youth Movement 2).

¹ Subsequently the Ilorin Talaka Parapo captured the Ilorin District Council, prompting the council's suspension by the NA. The struggle between the AG and the NPC for control of Ilorin was part of the broader dispute concerning whether Ilorin should be placed in the Northern or Western Regions. See 161.

The N.P.C. of course, retains its extremely strong position with a total voting strength in the House of 106. So far as the policy of N.E.P.U. on the 'Fragmentation' issue is concerned, the Party is now placed in the invidious position of trying to hunt with the N.C.N.C. hounds and at the same time keep up with the separatist activities of the Action Group/I.T.P. and U.M.B.C. hares. The apparent reluctance of N.C.N.C. to crusade for the fragmentation of the Northern Region, which is no doubt due to its desperate need for Northern support against the Action Group at the Conference, is probably welcomed by N.E.P.U. which on the whole is now tending to support the continuance of the Region undivided and indivisible. At the same time, in an endeavour to weld together an opposition party in the Regional House N.E.P.U. has been forced to support the aims of the Action Group/I.T.P. and U.M.B.C. members. In short, the cement which binds the various alliances and cross alliances together is basically unstable and their tactics depend very largely on the opportunities of the moment.

4. Similarly paragraph 15 of the draft is now largely out of date and it might be replaced with something on the following lines:—

'The United Middle Belt Congress

This party was formed in the middle of 1955 by the amalgamation of two smaller parties both of which aimed at the establishment of a separate Middle Belt Region. By the end of 1955 the party had again split into two groups. The more moderate group led by Pastor David Lot entered into an alliance with N.P.C. and took up the position that a Middle Belt Region was desirable but only as a long-term project and that it was unrealistic to suggest its immediate formation. The extremist group led by Moses Rwang was in favour of the immediate creation of such a region.² Neither group was able to define the composition of a Middle Belt Region though the Provinces involved would be Adamawa, Benue, Ilorin, Kabba, Niger, Plateau and the Southern parts of Bauchi and Zaria. These provinces have a population of nearly 6 million as compared with over 17 million in the Northern Region as a whole, nearly 8 million in the Eastern Region and 6½ million in the Western Region, but they are not homogeneous as the Muslims and non-Muslims are inextricably mixed in 'pockets' of varying sizes. At the time of the split there was very little genuine demand for such a region, public opinion generally tending towards the view that so long as the Muslims of the extreme North and the Government as a whole behaved fairly towards the non-Muslim elements both politically and economically, it was to the interest of the latter to remain in a united North. Two factors, however, have now radically changed the situation. The first was the N.P.C. declaration of 'Self-Government in 1959'. The fears of the non-Muslim elements, previously dormant, now came to the surface and even responsible opinion considered that once the power of the British had been withdrawn it was only too likely that a predominantly Muslim Government would reverse the present policy and would act tyrannically and unjustly towards the non-Muslim elements. The advantages of the immediate creation of a Middle Belt Region thus became much more obvious and attractive. This was particularly noticeable amongst some of the

² The faction of the UMBC led by Moses Rwang was linked to the NEPU and the NCNC.

great tribal unions, especially the Tiv Progressive Union which represents a tribe of some three-quarters of a million strong. In the Regional elections its five candidates were all successful on the platform of Moses Rwang's Wing of U.M.B.C. though in fact they had no real connection with that party.

The second factor was the insensate behaviour during the recent elections of the extremist group of N.P.C., led by Abba Habib and Muhammadu King, towards the non-Muslim Chiefs in general and particularly towards the influential Chief of Jos. This behaviour, together with the fact that U.M.B.C. candidates in non-Muslim areas were opposed by the N.P.C., despite the supposed alliance with the Lot Wing, confirmed all the fears of the responsible elements of U.M.B.C. which have been mentioned above and the inevitable result was the reconciliation of the two Wings in December 1956 and their joint declaration of a 'Middle Belt Region now' policy. The present position, therefore, is that there is definite and organised support for the immediate creation of a new Region among certain non-Muslim elements and that this support will continue and even increase unless or until N.P.C. is able to reverse the suicidal course of its extremist elements and to assuage the justified distrust which it has created by its own folly. N.P.C. however is by no means disheartened by recent developments and is passionately committed to the policy of a single North. It will be adamant on this point at the Constitutional Conference and will have the enthusiastic support of every Muslim Chief.'

5. I am sending copies of this letter to Williamson, Rankine and Stapledon.

383 CO 554/1140, no 44

3 Jan 1957

[African Continental Bank affair]: outward telegram from Mr Maclay to Sir J Roberston on CO reactions to the Foster-Sutton report

Following from Minister of State.

Begins.

Tribunal Report.

Following are our first reactions on which we should welcome your views as soon as possible.

2. Report is a damning document. But its restraint and objectivity should make it possible for necessary action to be taken on it with minimum disturbance of good relations. It is significant that Zik has been found wanting after being weighed in the balance against 'the standards of right-thinking citizens' which presumably means citizens of Nigeria (paragraph 194).

3. Apart from question of possible criminal proceedings (see paragraph 9 below) we suggest the general aim in handling Report should be to strike a balance between:—

- (a) proper discharge of Secretary of State's responsibilities for good government in Nigeria;
- (b) avoidance of any unnecessary appearance of persecuting Zik; and
- (c) maximum encouragement to sound local opinion (which has perhaps been inarticulate for too long) to form and assert itself.

4. Report is of course made to Secretary of State. He is abroad till towards end of January and it would seem to us best if Zik could take decision regarding his own position without any intervention by Secretary of State. No doubt Stapledon will seek early opportunity of discussing Report with Zik as soon as latter has had time to reflect on it after publication.

5. We suggest Stapledon will wish, if necessary, to draw Zik's particular attention to following points:—

(a) Zik has been held guilty of misconduct as a Minister (paragraphs 194, 196 and 197). Serious infringement of the rules of obligation governing Ministerial conduct would carry in the United Kingdom 'the drastic penalty of dismissal from office' (paragraph 4 of Mr. Lennox-Boyd's despatch of 1st December, 1951—see Appendix G to Report).

(b) Zik did not (repeat not) relinquish (and possibly still retains) effective control of the Bank (paragraphs 191, 196 and 198).

(c) Zik, members of his family, and his associated business interests, have benefited in the appreciation of their shareholdings through the Finance Corporation's investment in the Bank (paragraphs 128–131). Substantial Directors' fees were also received (paragraphs 143–148).

6. In the light of the foregoing, and of the Report generally, it is clear to us that by United Kingdom standards and by the standards which we wish to prevail in Nigeria Zik ought to resign. The Secretary of State is very likely to be pressed on this in the House of Commons. Do you and Stapledon consider that if he shows no sign of resigning on his own accord he should be advised to do so?

7. It also seems obvious that Zik ought not (repeat not) to retain financial benefits arising from the investment and use of public moneys, whether or not he proposes to continue in public life. He may be willing to take some action on this of his own volition. If he is not, Federal and Regional Attorney-Generals will no doubt consider whether there is any chance of his being made to disgorge financial benefits arising from the investment and use of public moneys. Our Legal Advisers, though doubtful if anything can be done, suggest 'unjust enrichment' is one possible field of inquiry.

8. Furthermore, if Zik should seek office again after resignation and fresh election, our view is that we should insist that he should divest himself effectively of any control of the Bank.

9. Apart from foregoing, question arises of prosecution for perjury of Zik, Blankson and Okoye, who appear to have lied on Oath before the Tribunal. We assume Attorney-General (presumably of the Federation as Tribunal sat in Lagos) will consider at once whether there is sufficient case for criminal proceedings. We have seen report in press of conviction of Onyiuke. Lesser fry having been caught, big fish could hardly be allowed to go free if a case can be made against them.

10. We hope you will also consider, in light of Financial Secretary's investigation into the Bank conducted by Deloitte, Plender, Griffiths and of Tribunal Report, what steps should be taken to safeguard the large public interest in the Bank and to provide the Bank with efficient management. Possibly, amongst other things, the agreement with the Finance Corporation should be scrapped and replaced by one which strikes a fair balance between the rights of the old shareholders and the public interest. We should be glad to be informed in due course what action is contemplated. *Ends.*

384 CO 554/1775

14 March 1957

[Local government in the Northern Region]: minute by M G Smith on the Hudson report

[The Hudson Report, *Commission Appointed to Advise the Government on Devolution of Powers to Provinces: Report by the Commissioner R S Hudson* (Kaduna, 1957), which was published in Feb 1957, recommended the creation of provincial administrations as a link between the regional government and native authorities. These provincial administrations would consist of a provincial authority (in effect an executive body) and a provincial council (in effect a deliberative and consultative body with powers to raise revenue and make bye-laws).]

We now have at (9) a copy of the Hudson Report on the Devolution of Powers to Provinces made by Mr. Hudson to the Government of the Northern Region, and at (10b) a preliminary statement of that Government's attitude to the Report.¹ The Report is, I think, of great importance to Nigeria and in particular, of course, to the organisation of Government in the Northern Region, and should be seen by higher authority in the Office. It is a fairly long document to read and so Mr. Pettitt² has prepared opposite a summary of the Report which Mr. Hudson has approved.

2. The Report is now before the Legislative Houses of the Northern Region. The Preliminary Statement at (10b) shows that the Northern Region Government propose to implement the Report almost complete and their intention is that if the Legislative House approve of the Preliminary Statement, their representatives at the Constitutional Conference will ask to have the main provisions of the Report, i.e. the establishment of Provincial Authorities, included in the new constitutional instruments, so that the system can be begun about April, 1958. Once the Report has been endorsed by the Legislature of the North, we shall need to prepare a short brief for the Conference on it and we can no doubt ask the Governor North, either to draft this initially or at least to provide us with the necessary material. Northern lawyers will also have to consider just what should be inserted in the new constitutional instruments.

3. The Report may prove a most important contribution to the solution of perhaps the most difficult problem in Nigeria today, the preparation of the North for the Regional Self-government which they are pledged to ask for in 1959. The outlook for Regional Self-government in the North is very gloomy. The Report deliberately makes the point (on page 22) that there is a conviction in the Region that 'the expatriate Resident would be needed for at least the next ten to fifteen years'. But as we have found elsewhere, once self-government is attained and lump sum compensation terms are available to overseas officers, there is a strong temptation for even the best of them to conclude that a full career is no longer available to him in the territory and the best thing to do is to cut his losses and pull out. Whether or not the North continues to want them, therefore, the prospect of good quality 'expatriate Residents' being willing to stay for the next 10–15 years, is not promising—unless Nigeria as a whole remains dependent for much longer than seems likely.

4. As we know, whatever may be the defects of the Southern Nigerians in temperament and morals, the Northerners as a whole are much less ready in

¹ See 372 for earlier consideration of Hudson's ideas.

² R G Pettitt, assistant principal, CO.

education and experience for self-government. There are virtually no Northerners in superscale posts in the Northern Public Service and few enough even in the junior posts of their Senior Service. The new Northern Executive Council which was formed after last November's elections, contains only two Ministers with portfolio with previous ministerial experience—the Sardauna and the Makama. Both of these are highly connected in the ruling Fulani aristocracy and when self-government comes their tendencies will be far more to support the ruling caste rather than to promote democratic self-government for the whole Region. Probably a majority of the members of the new House of Assembly are nominees of the Emirs, so that once the reserve and discretionary powers of the Governor are removed with the introduction of Regional self-government, there is little to lead us to conclude that the Little Westminster that we have set up in Kaduna will be strong enough to stand up to any attempt by the Emirs to re-assert their traditional authority, or even that most of the members of the Little Westminster will want to stand up to such an attempt. It is just this fear that leads to the wild talk and occasional wild action of the Christians and pagans of the Middle Belt and their leaders. In fact, as we have been advised in a striking phrase, all the indications are that on Regional self-government 'the Emir will rebuild the walls of Kano'.

5. Furthermore, as we have been warned often enough by the events of the last few years, there is a constant threat of the renewal of the rivalry between the Sultan of Sokoto and the Emir of Kano epitomised in their leadership of rival Muslim sects, the Kadariyya and the Tijjaniya. At the same time, we have Egypt willing enough to try and draw more Muslims into her orbit, the Action Group always glad of a chance to grab Ilorin, and Zik generally glad to fish in any troubled waters in the North, in the hope of breaking it up into smaller and so more manageable units.

6. These troubles have been held back from the Region in past years because of the strong central government and a very good quality administrative cadre spread out over the twelve provinces. The present Governor has personally intervened from one crisis to another in the past two or three years to reconcile Chiefs and Ministers, to quiet the warring sects or to insist on good government when some of the Chiefs were going astray. Apart from these firm interventions by the Governor, the Region might already be in pretty considerable chaos. It may be that we can persuade the North to accept in 1959 a form of Regional self-government which will enable the Governor to retain wide powers to continue to act in this way, but we can hardly at this stage bank on such sweet reasonableness and we have to prepare for the worst. The Hudson Report is designed to begin this process.

7. Assuming that the Report is accepted and implemented, there should be set up over the next two years a Provincial Authority for each province, the Chairman/Executive of which will, at least for the first few years, be the present Resident. This Provincial Authority will take over from the Native Authorities the functions they have been performing on behalf of the Regional Government. The reason advanced for this is that the Native Authorities are best fitted for the discharge of their traditional functions rather than for undertaking many of the technical and professional services demanded by a modern community. This reasoning is true enough, but if the reform can be satisfactorily introduced, its (salutary) effect will be a diminution of the powers and responsibilities of the Native Authorities and a barrier to their further extension. It is for reasons such as this that

the Governor has for some time past described his conception of Provincial Authorities as the Twelve Pillars of good government in the North.³

8. It is not intended that with the establishment of Provincial Authorities, the posts and functions of Residents will disappear. The Resident will still continue to discharge some at least of the functions of his present post as an inspecting and supervisory agent of the Regional Government towards the Native Authorities, and will presumably continue to retain his responsibilities for law and order. The major questions which arise over these proposals are, I think, these:—

(a) Once the large Native Authorities realise that, however nicely the Report is phrased, one of its major purposes is to set bounds to their power, will they accept it and work with it?

(b) Is it likely that the new Provincial Authorities, which are not due to be established until April, 1958, will have long enough to get dug in before Regional self-government comes?

(c) Will there be sufficient staff effectively to run this somewhat cumbrous structure of Provincial Authorities; or are these Authorities likely to break down under the combined pressure of staff shortages and non-co-operation by the Native Authorities?

We cannot answer these questions now. I think all we can do is to welcome the Report and to encourage the Northern Region by all possible means to implement it as effectively and early as possible.

³ See 306, note 1, and 361, note 1.

385 CO 554/1841, no 1 14 March 1957
 [Suez crisis]: despatch no 19 from Sir B Sharwood-Smith to Mr
 Lennox-Boyd on the impact of the Suez crisis on the Northern Region
 [Extract]

[The Suez crisis that developed following Nasser's nationalisation of the canal in July 1956 had ramifications throughout the empire and not least on Muslim regions such as Northern Nigeria; this was particularly so given the Anglo-French collusion with Israel in the attack on Egypt that began at the end of October. The subsequent evacuation of Anglo-French forces and the political obloquy that accompanied the crisis resulted in Eden's resignation as prime minister.]

... 4. To turn to Regional matters. Had our relationships with Northern leaders been strained or brittle or had those leaders, both political and traditional, been less loyal and less realistic, the Suez affair in particular and events in the Middle East in general could have resulted in reorientation of political thought and a consequential deterioration in atmosphere which would have had disastrous consequences both within the Region and on Nigeria as a whole.

5. The North has little admiration for Egypt and the Egyptians and even less for Nasser both on religious and on political grounds. Furthermore, the increasing evidence of Russian intentions with regard to Africa and the tendencies of Nasser and other Arab leaders to saddle the Communist tiger are a constant source of deep concern to the North. Finally, the nature of Egyptian interference in the Sudan will not be forgotten for a long time. Despite these feelings, personal ambitions and

vanities could excusably have affected Northern leaders far more than in fact they did. It is a tribute to their training and character that, despite their translation within a brief period of years from positions of purely local significance to within the range of international limelight, the great majority of these men have retained a sense of proportion and feelings of friendship and loyalty to those responsible for their early training and subsequent advancement. Even the Emir of Kano, despite the intensity of his religious feelings, pronounced that whatever occurred between ourselves and the Egyptians repercussions would not go farther than expressions of distress and foreboding.

6. Disappointingly little interest was provoked in the United Kingdom by the deliberately worded Press Release issued by the N.P.C. in the early days of the Suez crisis to the effect that it had no ties with the Islamic Congress, that it had no intention of joining the Arab Bloc and that its desire was that the North should in all circumstances remain in the Commonwealth.

7. The innate common sense and moderation of the ordinary educated Northern Nigerian, whatever his social status, is standing him in good stead as more and more people from the Region travel to distant countries. It is encouraging, for instance, to hear widespread and trenchant criticism by prominent Northern pilgrims of conditions in Saudi Arabia; the spiritual impact of the Holy Places has not, it seems, dimmed their wits when confronted with all the evidence of a stark and cruel despotism. The North still remains independent in thought at all times. The comment of the Emir of Kano that the Senussi Centenary Celebrations in Libya savoured strongly of heresy is a case in point.

8. Communism makes remarkably little appeal to the Northern mind. Only people like Aminu Kano and Yerima Balla, the extremist U.M.B.C. leader in Adamawa, toy with it for the sake of the contacts it gives and the sustenance derived from them. . . .

386 CO 554/1533, no 7

[March 1957]

'Skeleton Plan: Nigeria': CO memorandum

[The Skeleton Plan resulted from the fallout of the Suez affair and Eden's replacement as prime minister by Macmillan on 13 Jan 1957. On 28 Jan Macmillan minuted to the Cabinet Colonial Policy committee: 'I should also like to see something like a profit and loss account for each of our Colonial possessions, so that we may be better able to gauge whether, from the financial and economic point of view, we are likely to gain or lose by its departure. This would need, of course, to be weighed against the political and strategic considerations involved in each case' (CO 554/1533, no 1, minute by Macmillan).¹ The Skeleton Plan for Nigeria was the result of this exercise.]

1. *Political and constitutional*

(a) *Outline of the present constitutional system*

Nigeria is the largest of Her Majesty's dependent territories. In area it is four times the size of the United Kingdom. In population it is the fourth largest unit in the

¹ Macmillan's initiative should also be seen as part of continuous process, stretching back to the post-war Churchill and Eden administrations, whereby successive UK governments kept under constant review Britain's overseas commitments and the country's ability to sustain them. For the wider outcome of Macmillan's 1957 inquiry, see BDEEP series A, vol 4, R Hyam and Wm Roger Louis, eds, *The Conservative government and the end of empire 1957-1964* part I, chapter 1.

Commonwealth and its 32 million inhabitants constitute 40% of the total population of all the British colonial territories. It is four times the size of Ghana and has seven times its population.

But this vast population lacks unity. There is a great diversity of tribes and vernaculars. There are also religious differences. One authority has estimated that there are some 240 tribes and 350 different vernaculars. This may be an exaggeration, but there are at least 9 or 10 major 'ethnic groups'. Of these the 3 largest dominate the country: the Hausa/Fulani in the North, the Ibos (mainly) in the East, and the Yorubas (mainly) in the West.

This diversity, and the deep-seated distrust of the major groups for each other, led to the present (1954) constitution. Under this Nigeria became a relatively loose Federation of 3 Regions (North, East and West), plus the Federal capital of Lagos and the Trust Territory of the Cameroons. The Northern part of the Cameroons is administered as part of the Northern Region, but the Southern part was given its own government and is quasi-Federal territory. The residual powers are in the Regions, and the Federal Government has a defined list of powers. There is also a concurrent list, with Federal legislation prevailing over Regional in case of conflict.

There are large Nigerian majorities in all the executive and legislative organs of government throughout the Federation, with the sole exception of the Southern Cameroons Executive Council where there are 4 British to 4 Africans. There are no British officials, except the Regional Governor, in the Eastern and Western Executive Councils, no British officials in the Legislative Houses of these Regions, and only 3 (in addition to the Governor-General and Regional Governor respectively) in the Federal and Northern Ministerial Councils and Legislative Houses.

The Governor-General and the Governors of the 3 Regions still have full reserved powers and considerable discretionary powers. The reserved powers have been used on three occasions in the East under the present constitution.

The Centre's powers include such matters—essential to the administrative unity of the country—as defence, external affairs (in so far as responsibility is delegated by the United Kingdom Government), the Nigeria police, major communications, ports, currency, exchange control, external trade and external loans.

The term 'internal security' is unknown to the Nigerian constitution, but 'public safety and public order' is a concurrent subject, and the United Kingdom Government's ultimate responsibility for internal security is thus exercisable through the Governor-General of the Federation who has full discretionary power over the 'use and operational control' of the Nigeria police. Police supply is handled by the Executive and Legislature in the normal Parliamentary way, but is within the portfolio of the (British) Chief Secretary of the Federation.

In addition to the Nigeria (Federal) police, there are small local government and native authority forces in the West and North, and some of the politicians in those Regions would like to get their hands on them. They would also like to regionalise the Nigeria police. If this were conceded most of the British officers would leave, and the Regional forces would rapidly come under political influence and be used by majority parties to intimidate and coerce their opponents. (The party in power in the East—the N.C.N.C.—already uses the Government Public Information Service for party purposes).

(b) *Brief description of the internal and external political pressures*

With a few relatively minor exceptions all the political parties in Nigeria want, or profess to want, self-government within the Commonwealth as soon as possible. Nigerians are, broadly speaking, loyal to the Crown, friendly to the British, and attached to the Commonwealth connexion. The visit of the Queen and Duke of Edinburgh last year was a great success.

Two-thirds of the North's 18 million inhabitants are Muslims and Islam is a vital factor in their outlook. The remaining 6 million—a sizeable minority of rapidly growing political importance—are mainly pagans with some Christians. A small minority of the Muslims—but it includes some of the most influential and able must be recognised as potentially hostile to us and what we stand for, and inclined to fanaticism and xenophobia. If so far they have resisted the blandishments and bribes of Egypt, it is quite as much because they regard Egyptians as bad Muslims and Nasser as a catspaw of Moscow as for pro-British reasons. For all their natural courtesy to strangers and good manners—so deceptive to the ordinary Englishman—this minority probably regard us as infidels, distrust us as democrats out to replace their traditional authority by the secret ballot and universal suffrage (including eventually votes for women), and tolerate us only because they feel insecure against the energetic and aggressive Southerners.

There is a small communist-inspired party in Nigeria, the United Working People's Party, but it has little influence. Potentially it could be dangerous, and constant vigilance is exercised. All the Governments in Nigeria have publicly condemned international communism as a threat to their own freedom, and so far Moscow has had little success. Efforts at infiltration continue, mainly in the trade unions and centres of higher education, but so far the situation has been well contained. In Nigeria (as in Ghana) the nationalist leaders have all come out firmly against communism. We may be thankful for this and indeed take some credit for this result of our liberal policy on constitutional matters.

The reports of the United Nations Visiting Missions to the Cameroons Trust Territory have on the whole been most laudatory of the British administration. Their last report a year ago stressed the need for more economic and social development to keep pace with the rapid constitutional and political progress. The country is poor and undeveloped. There are considerable possibilities but this needs more money than is available. On the political side the main features are fear of domination by the Ibos from Eastern Nigeria and the question of amalgamation with the French Cameroons next door. The two countries were of course one under German rule, and no political party in the Southern Cameroons can afford not to profess interest in ultimate unification with the French Cameroons. It is doubtful whether, if the Federation as a whole became independent within say the next 10 years, the Southern part of the British Cameroons would decide to stay in it, such is the fear of Ibo domination. The communist-inspired (and probably financed) U.P.C. (Union de Populations du Cameroun), which was banned in the French Cameroons following the 1955 riots there, constitutes by far the most serious threat to both administrations. It aims at the immediate unification and independence of the British and French sectors, but in the recent elections it gained no seats.

The Indians show interest in Nigeria on customary lines, and have a Commissioner in Lagos. Their written propaganda is tendentious and sometimes dishonest, but they need not be regarded at present as more than a minor nuisance.

The United States has shown signs of seeking to extend its influence and some of the leading Nigerian politicians were educated in America. Relations with the present American Consul-General are good.

(c) The way in which these pressures will be reflected in demands for constitutional changes

In 1953 the two major Southern parties, Dr. Azikiwe's National Council of Nigeria and the Cameroons (N.C.N.C.) and Chief Awolowo's Action Group, formed a short-lived alliance to demand 'Dominion status' for Nigeria as a whole by 1956. The majority party in the North, the Northern People's Congress (N.P.C.), led by the Sardauna of Sokoto (now Premier of the Northern Region), opposed the demand knowing that independence so soon would mean domination of the North by the more 'educated' Southerners. They put forward as an alternative formula self-government 'as soon as practicable'. The acute crisis which resulted nearly split the country and there was serious rioting, with loss of life, in Kano which was prevented from spreading only by prompt and firm action. The crisis was eventually resolved by the then Secretary of State (Lord Chandos) at the London constitutional conference in August, 1953, when he secured agreement to the present federal form of government and, as regards self-government, to the following formula, recorded in paragraph 28 of the Conference Report (Cmd. 8934):—

'The Secretary of State for the Colonies informed the Conference that Her Majesty's Government were not prepared to fix a definite date for self-government for Nigeria as a whole, the more so as the Northern delegation, representing over half the population of Nigeria, was unable to depart from its policy of self-government as soon as practicable. The Conference eventually accepted a declaration of policy that in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible.'

This formula is the key to the present political situation

A conference was to have been held last autumn to work out how to carry out the 1953 promise of Regional self-government, including the safeguards, but it had to be postponed because of the Foster-Sutton Tribunal of Inquiry into Dr. Azikiwe's corrupt practice and Ministerial misconduct in relation to the African Continental Bank. It will now open, at Lancaster House, on the 23rd May.

At this conference the N.C.N.C. and the Action Group will both renew the demand for immediate self-government for Nigeria as a whole, and the question will have to be discussed; but in the face of expected Northern opposition the Action Group may and probably will be content with Regional self-government for the West, for which they have made careful plans, though they may raise objection to the strict safeguards which the United Kingdom delegation will put forward for the Federal Government and for the continuance of federation. The N.C.N.C. are likely, after the Foster-Sutton Tribunal Report, to prove difficult and vindictive in any event, and will

make much more trouble over immediate—or early—self-government for the whole country. The N.P.C., partly from an inferiority complex that they ought not to lag too far behind the South, have now set 1959 as the date for Regional self-government for the North, and the Southern parties will urge very strongly that, if independence cannot be granted to the country as a whole immediately, 1959 should be the year for the final transfer of power. The grant of independence to Ghana will sharpen their demand. Indeed the Federal House of Representatives passed a resolution, *nem: con:*, on the 26th March, demanding independence for the Federation as a whole (within the Commonwealth) in 1959. Despite this the more responsible N.P.C. leaders may, like the United Kingdom, take a different view, and aim for a further period of some years between the date of Regional self-government in all three Regions and the date when the Federal Government ceases to be dependent and the country as a whole becomes self-governing. In other words they will probably still adhere to the formula 'as soon as practicable' self-government for the country as a whole. There is likely to be heated discussion at the conference on this issue. At the London conference in 1953 Lord Chandos made the following statement:—

'Her Majesty's Government did not intend to force self-government either upon any part of Nigeria before it felt ready for it or upon Nigeria as a whole so long as any substantial part of it did not consider the time opportune'.

He repeated this statement at the Lagos conference in 1954 and it gave great reassurance to the North.

If independence for Nigeria as a whole comes too soon, the North, or parts of it, may talk of secession, particularly if power at the Centre is going to be in the hands of the N.C.N.C. In fact it would be difficult for the North to set up an entirely separate existence since all their imports and exports pass through the southern ports but it is impossible to be certain how much weight would be given to practical considerations of this kind. It is possible that the Southern Cameroons might also decide to leave the Federation on account both of their fear of the Ibos and also of their hope of ultimate amalgamation, as an independent territory, with the French Cameroons.

It will be our aim to proceed with constitutional advances at Federal level as slowly as possible, if we can conceding in 1957 only such major changes as the creation of the office of Federal Prime Minister, and perhaps a Second Chamber in which all Regions would be equally represented. (In the Federal House of Representatives, the North, with over half the population, have half the seats). We shall seek to resist setting any date for self-government for the country as a whole. But success will not be easy.

There will be pressure at the conference for the creation of more Regions, or States. To some extent such demands will be prompted by genuine fear of the major tribes by minority groups. But mostly the demands will be made by the Southern parties in order to split the North. Few of these demands have any wide or agreed backing, and it will in any event be necessary for compelling administrative reasons to resist them: the machine of government in Nigeria has already undergone two major upheavals in the last 5 years because of constitutional changes, and a further upheaval, by the creation of more Regions, would prove more than it could stand, particularly in view of the declining numbers of experienced British officers.

2. *Strategic*

(a) *An estimate of the strategic importance of the territory*

The international airport of Kano (in Northern Nigeria) is on the air communications line to Uganda, Kenya, the Arabian Peninsula and the Far East. Nigeria is important on the trans-African air reinforcement route, and also for its harbours at Lagos and Port Harcourt. Both of these sea ports are bases that we should want to use in limited or global war.

(b) *A statement of H.M.G.'s strategic requirements*

H.M.G.'s strategic requirements are for over-flying and air-staging rights, and for ability to station a naval control organisation at, and to use the ports of, Lagos and Port Harcourt in time of war.

(c) *An estimate of the extent to which retention of these strategic requirements is dependent upon H.M.G.'s retaining jurisdiction*

Defence, major ports, and aviation (including aerodromes) are exclusively Federal matters, though geographically Kano is deep in the Northern Region and Port Harcourt in the East. Lagos is Federal territory.

So long as the Federal Government remains dependent, our strategic requirements are constitutionally secure. After independence, we shall have to rely on goodwill; though if we are prepared to continue, and Nigeria is prepared to accept, some financial and other forms of aid to Nigeria's defence forces we shall be in a stronger position.

3. *Economic*

(i) *The effect of independence upon the interests of the U.K. in terms of direct effect on the Exchequer*

Direct Exchequer costs consist of the C.D. & W. allocations to the Federal, Regional and Southern Cameroons Governments. Over the period 1955–60 these amount to £3.75 million to the Federal Government, £4.75 million to the Northern Region, £2.75 million to the Eastern Region, £0.5 million to the Western Region, and £1.33 million to the Southern Cameroons. Total: £13.08 million. There is also the annual U.K. contribution to the Nigerian military forces, which at present amounts to about £1.2 million. Nigeria has agreed to assume, and is assuming, a progressively increasing share of this burden.

(ii) *The effect of independence upon the interests of the U.K. in terms of the effect on the sterling area*

In 1955 Nigeria was a net earner of about £5 million worth of dollars.

Dollar earnings arise mainly from the export of cocoa to the United States. In the years 1953–55 there were also substantial exports of columbite to the United States, but these have now ended at any rate for the time being. Although cocoa prices are now much lower than in 1955 the quantity exported to the U.S. in that year was unusually small, and with an increase in the volume of cocoa exports a continuance of dollar earnings, at the rate of £4–5 million, even without columbite exports, would seem not unreasonable.

Neither British nor sterling area firms are concerned to any appreciable extent in dollar earning activities.

The sterling area would suffer a moderate loss of dollar exchange if Nigeria were to leave it; departure from the Commonwealth, without leaving the sterling area, would have little or no effect on the latter.

An independent Nigeria might seek to have a rather larger dollar allocation for its own use. In recent years the value of imports from the U.S. and Canada has been only about half that of exports to those countries. Also capital funds might be held in the U.K. to a less extent than at present. This would be more likely to happen if Nigeria were to leave the sterling area.

There is no evidence that Nigeria is dissatisfied with the working of the controls over dollar expenditure, or that there would be any strong incentive for her to leave the sterling area after independence.

The best political assumption we can make is that, unless she disintegrates—when an entirely new situation would arise—Nigeria will remain within the Commonwealth and within the sterling area.

(iii) *The effect of independence upon the interests of the U.K. in terms of trade between the territory concerned and the United Kingdom*

The United Kingdom has taken about 70% (£90–£100 million) of Nigerian exports in recent years, and has supplied about 45% (£50–£60 million) of Nigerian imports.

Nigerian products, such as cocoa, oil seeds, cotton, etc., are important to the United Kingdom and a number of them are given preferential tariff rates.

The Nigerian market is a valuable one for United Kingdom manufactured goods. There are also important United Kingdom interests in trading and lesser interests in mining. United Kingdom trade would be affected if independence were accompanied by hostility to United Kingdom traders, but it is to be hoped that there will be no such hostility. After independence there might be a greater tendency to protect new Nigerian industries at the expense of imports. This might affect United Kingdom trade, but the mutual interests of both countries in the trade between them are very great, and these interests seem unlikely to be appreciably disturbed by independence.

Nigeria does not grant preferences on Commonwealth imports, and competition from non-Commonwealth suppliers of manufactured goods, especially Germany and Japan, has been increasing recently, though willingness to buy from Japan is likely to be limited by the fact that Japan takes practically no Nigerian goods.

The big engineering and supply contracts, which will increase still more in value as physical development proceeds, will tend to go (both now and after independence) more and more to those countries who supply Nigeria's needs for technical experts. If, for example, German engineers replace British, German trade and industry will profit to the detriment of the United Kingdom's.

4. *Obligations and repercussions*

(a) *An estimate of the effect upon the political, economic and social development of the territory of the withdrawal of U.K. jurisdiction including the effect upon racial and tribal minorities*

As in Ghana, self-government is the declared objective and at the Regional level is likely to be reached in the East and West this year and in the North in 1959. The effect of full self-government for the Federation as a whole depends very largely on how soon it comes. The fissiparous forces are very strong in this large country and if Federal independence comes too soon the Federation may break apart.

Until the final transfer of power to the Federation, it should be possible, if we are firm enough at the conference—and decent Nigerians will not forgive us if we show weakness to the more extreme and self-interested politicians—for the U.K. Government to retain power to suspend the constitution of any part or the whole of the Federation in case of failure. But it would be politically impossible to use this power in a self-governing Region unless things had gone really badly wrong, enough experienced officials were available to set them right, and the Nigeria police could be relied upon to carry out the United Kingdom's intentions as conveyed to them through their senior officers.

When the Regions are self-governing but the Federal Government is still dependent, the machinery of government may work at least as well in the West and the North as it seems likely to do in Ghana. But in both cases, and particularly in the North, much will depend on how many British officials will be willing to stay on for a good many years to come until trained and experienced Nigerians are available in sufficient numbers to take over.

In the East, where already only a thin red line of British officers stands between the Region and chaos, things are likely to go downhill fairly rapidly. If, as seems virtually certain, most of the remaining British go on or soon after Regional self-government, i.e. by the end of this year, chaos must be considered more likely than not within two or three years; and if the power still remains to the United Kingdom to suspend the constitution of the Region, that step may be necessary. Alternatively the Federal Government may have to intervene under the power which we hope to secure for it to safeguard the Federal interest, as envisaged in the 1953 promise of Regional self-government (see paragraph [1(c)] above).

We have made, and shall continue to make, great efforts to persuade experienced British staff to stay on and various expedients have been devised to induce them to do so. But the inducements to go are strong. They can retire with compensation for broken career when the Secretary of State ceases to have responsibility for them and conditions in Nigeria and the utterances and behaviour of Nigerian politicians are all too often such as to quicken their desire to take this compensation and go.

It was said earlier that Nigerians generally were loyal to the Crown, friendly to the British, and attached to the Commonwealth connection. That is true, and they have many admirable—and indeed lovable—qualities, in particular a keen sense of humour and the capacity to laugh at themselves. But there is a darker side, which must not be overlooked.

Barbarism and cruelty are still near the surface, as is shown by happenings such as these during the past two years: villagers beat to death a well-known Nigerian barrister whose chauffeur-driven car had accidentally killed one of the villagers; the fellow-villagers of a couple found to be receivers of stolen property sewed them together and then clubbed them to death; and the Premier of the North (where some large local government bodies had been asking for the branding of thieves) regretted, in a speech in the Northern House of Assembly, the days of slavery and the mutilation of thieves 'before the British came'. There is in fact likely to be much less real freedom, especially for the under-privileged, the weak and minority groups, after 'FREEDOM' has been achieved.

If the danger of administrative breakdown is greatest in the East, there are no less disquieting dangers of another kind in the Muslim North. The great Emirs may not tolerate government from Kaduna (the Regional capital) by popularly elected

commoners when the British Governor is stripped of his reserved powers. As a shrewd Sudanese observer said recently, 'When the British go, the Emir of Kano will rebuild the city walls.' Current proposals for devolution of power from the Regional capital to the Provinces are framed to counter this danger, but much depends on whether there will be time to implement them effectively. 1959 is the date for Regional self-government in the North.

The position in Muslim courts in the North is unsatisfactory. They apply much of the full rigour of conservative Muslim law to the detriment in particular of non-Muslims. It is more than doubtful how far it will be possible before self-government to carry through the fundamental changes that are required.

The leader of the principal opposition party in the North, the Northern Elements Progressive Union (N.E.P.U.), Aminu Kano, is reported to be convinced that the comparative freedom enjoyed by opposition parties will disappear when the restraining influence of the British administration over the Chief's and Native Authorities are removed. He has had contact with the British Communist Party in the past, and the Governor's view is that he may seek to strengthen his Communist bonds to secure such aid in case N.E.P.U. is driven underground.

To sum up. If the British withdraw in the next half decade, it is quite on the cards that the North, or large parts of it, will secede, and if this happened a general disintegration might well follow. There is in any event likely to be a general lowering of standards everywhere, which might result in complete breakdown in the East and will almost certainly mean less freedom for minorities everywhere. In some parts there may be a reversion to much of the barbarism of pre-Colonial days. The outward forms of democracy may remain but, as has been suggested by the Governor of the East, the recent general elections there gave the people what may well be their last opportunity of making a relatively free and fair choice of Government.

(b) *The effect of the change of status in the territory upon the prestige and influence of the U.K.*

In the time remaining to us every effort should, and doubtless will, be made to entrench provisions in the constitution against the corrupt and harsh exercise of power and to ensure the independence of the civil services, the judiciary and the police. Efforts are being made to keep British officials in Nigeria until there are enough trained Nigerians available to take over; but no real solution to this problem has yet been found.

The continuance of our prestige and influence, which are at present high, will depend to a very large degree on how far we succeed in these efforts and on how long we can retain ultimate power at the Centre. So long as there is a restraining (British) hand at the Centre, backed by some constitutional sanctions and a reliable machine (civil service and police), there is a fair chance that Nigeria can be held together, and that something like democratic (if not 'honest') government will develop. The best hope for Nigeria lies in the present student generation who, one may hope, will as the politicians of the future be less divided among themselves and less self-seeking than the present set. Our restraining hand is thus really needed for a generation. But it is unrealistic to expect that we shall have so long.

(c) *Whether the premature withdrawal of U.K. jurisdiction would leave a vacuum which would be filled by a country hostile to the U.K. and her allies*

Premature withdrawal would further expose the North to overtures from the Muslim

countries of North and North East Africa and the Middle East. Most Northern Nigerians (including the substantial non-Muslim elements) would wish to resist political encroachments of this kind, but the North generally might feel obliged to look to these sources for protection against Southern (Ibo, and to a lesser extent, Yoruba) domination if we left before they felt secure. It is possible that the opposition elements in the North would actively seek communist help.

Chaos in the East might present Moscow with a situation after its own heart, which the Federal Government might not have the means—or the necessary unity of purpose—to contain.

General disintegration of the Federation would of course give rise to this danger in much more acute form.

If expatriate officials, in the professional and technical as well as the administrative branches, are not available from British sources in adequate numbers, efforts will undoubtedly be made to find them from elsewhere, including the United States, India, Germany and Italy. The Soviet Union (and some of its satellites, e.g. Czechoslovakia) and Egypt will also try to exploit this situation.

5. *Conclusions*

In spite of its great promise, and several encouraging features, one cannot avoid forebodings as to the outlook for Nigeria, for the simple reason that we are unlikely to have long enough to complete our civilising and unifying mission. The pass in British West Africa was sold when the Watson Commission Report on the Gold Coast was published in 1948. The recommendations of that Commission were very radical. They set the pace in the Gold Coast and by so doing they lost us a vital fifteen to twenty years in Nigeria. Successive Governments since have taken the line that the risks of going too slow were probably greater than the risks of going too fast; and it remains true that a slow pace will lose us the great goodwill we have at present and cause much friction. But in West Africa the pace set by the fastest (Ghana) is certainly more than the vast and unwieldy Nigeria looks like being able to take.

387 CO 554/1583, no 7

16 March 1957

[Ghanaian independence]: letter from Sir J Robertson to Lord Perth on the likely impact of Ghanaian independence on constitutional advance in Nigeria

When we talked at Accra we agreed that the grant of independence to Ghana is bound to have a great effect on the forthcoming Nigerian Constitutional Conference, and I think that from all I hear and from the Press and debates in the House of Representatives this is the case.¹ I think you accepted my view that we should be wise in the light of the new situation to reconsider what position we should take up regarding alterations in the present Federal constitution.

¹ The Gold Coast gained its independence as Ghana on 6 March 1957.

2. Last year we had correspondence with the Colonial Office, and a brief was prepared in draft and sent to me under cover of Williamson's Secret and Personal letter WAF 16/57/09 of the 24th April, 1956. I wrote two letters dealing with the subject—G.366/41 of 3rd May and G.366/75 of the 12th June; see also Grey's letter to Williamson G.366/95 of the 10th July. I think these are probably a bit out of date now.

3. I have no doubt at all that the politicians in the Eastern and Western Regions and the Press will set their target on self-government for the Federation as soon as possible, and that we shall be asked to fix a date. It is not yet clear what attitude the Northerners will adopt, and whether they will be similarly affected by Ghana. It is possible that they will be even more conservative, and see in what happened there a preview of Nigeria's future; i.e. that the more backward North will have to submit to more speedy constitutional advance than they really wish. It may be that they will be just as adamant against too rapid 'progress' at the Centre as they have always been. So far it is too early to guess what their attitude will be. Several Northern Members of the House of Representatives have already spoken of 'self-government in 1959' and one of the more influential ones (Alhaji Abdulkadiri Makama of Central Zaria) has said that the N.P.C. wants internal self-government in 1959 and 'we in the North do expect that the Federal Government with the whole of Nigeria may demand self-government in the same year'. I understand that there have been some murmurings of dissent by Abubakar Tafawa Balewa while these remarks were being made; but it may be that he was indicating disagreement not with the sentiments but with the manner and timing of their expression.

4. It seems to me however that the Northern leaders will not be able to be conservative and to withstand the pressure that is bound to be put on them, and that concessions will have to be made in the Federal set up. These will probably be demanded in the composition of the Council of Ministers and in the creation of a Chief Minister.

5. Although only some two months now remain before the Conference and that gives us little enough time to appraise thoroughly such changes of feeling as there may be, I think we must recognize that the coincidence of the Ghana celebrations with the meeting of the Nigerian Federal House may have produced emotional utterances by our politicians that do not accurately reflect their true thoughts now, much less their cooler judgments later on. And we must guard against the easy assumption that there is general acceptance even among such Nigerians as take an interest in politics of all that is said publicly in the present emotional circumstances. While, therefore, we should not decide now that we ought to concede sweeping changes, we ought to be prepared to think again about these matters and be ready to make concessions if, at the time of the Conference, there is evidence that they are generally desired and can reasonably be made.

6. I expect we shall be asked by the N.C.N.C., supported by the Action Group, to abolish ex-officio membership of the Council of Ministers and of the House of Representatives. I should expect the chief pressure to be against the Chief Secretary and the Financial Secretary remaining members, and on the whole I don't think we should struggle too hard. External affairs, defence (including Police), and the Public Service will have to remain reserved subjects, and I imagine that the Chief Secretary as Deputy Governor-General could continue to deal with them on my behalf. The

other sections of his present portfolio would have to go to African Ministers. I don't see why a satisfactory solution should not be possible.

7. Regarding Finance, while the importance of impartiality in this post can hardly be exaggerated in regard to the working of the complicated arrangements for Federal and Regional participation in the Revenue, it should be possible to work out a system where a Minister of Finance assisted by the Financial Secretary in a new role of 'Financial Adviser' had to exercise reasonable impartiality. It might perhaps be laid down that the 'Financial Adviser' should have the right in case of his disagreeing with his Minister to have access to the Council of Ministers, though of course one would not wish such circumstances to arise.

I appreciate that the right of direct access to the Council could have its disadvantages. A Minister courting popularity and seeking to avoid responsibility might insist on submitting impracticable proposals to the Council, secure in the knowledge that Council would listen to the Financial Adviser and that he (the Minister) could escape the odium of unpopular proposals. The marked pre-eminence of one civil servant might also be a cause of friction with the Permanent Secretaries. These dangers would have to be balanced against the desire (if any) of one or more Regions to be secured from the political arbitrariness of a Finance Minister of another Region or another party and against the need to make such constitutional provisions about the management of revenue-raising powers as would command the confidence of investors.

8. I do not think there will be such pressure to get rid of the Attorney-General and his presence on the Council would provide some backing and assistance for the Governor-General, who will presumably continue to preside.

9. With regard to having a Prime (or Chief) Minister, I feel sure we shall have to give way on this. He could be selected by the Governor-General asking the leader of the largest party to form a Government, or even by the House of Representatives selecting him, as is done in the present Sudan Constitution, in whose drafting I had some part. The Prime Minister would then have to choose the Ministers for approval by the Governor-General. I think we must maintain representation of all the Regions in the Council but I would suggest that the number of Ministers might be increased to eleven (excluding the Prime Minister): two to be chosen from each Region and one from the Southern Cameroons, leaving the Prime Minister free to choose the other four from any Region or from Lagos. This would give the Prime Minister seven votes (his own, two from his own Region, and the four free votes) and would give him a majority in the Council, which I think he must have.

10. Other points which may be raised are the appointment of the Speaker, and the Special Members. I think we should try to maintain the present position in these three matters, but neither is in itself vital.

More important are (i) the size and composition of the House of Representatives. The North may ask for a larger representation to accord with population; (ii) similar methods of election throughout the Federation—the North will probably oppose this for the time being, and (iii) the establishment of a Senate. We may have to agree to this—see, however, my letter of the 12th June, 1956 for some of the considerations, among the most important of which is how it would be composed.

11. I have not gone into detail in this letter as I think all the considerations regarding these matters have already been exhaustively dealt with.

I am sending copies of this to Sharwood-Smith, Rankine and Stapledon.

388 CO 554/1583, no 15 26 March 1957
 [Date of independence]: letter from T B Williamson to Sir J Robertson
 on the need to avoid fixing a date for the final transfer of power

[On 26 March 1957 Akintola introduced a motion in the House of Representatives calling for self-government for Nigeria in 1957; this was subsequently amended to 1959. Following an expression of support by Tafawa Balewa on behalf of the NPC members of the House (to the surprise of British officials), the motion was carried unanimously (390). This led the three regional premiers, together with the leader of government business in the Southern Cameroons, to submit a memo in May to the London constitutional conference calling for self-government in 1959. See 400.]

Very many thanks for your secret and personal letter (P.29) of the 20th March, which I have read with much interest. I hope you may be successful in regaining the initiative as regards the proposed 3-Premiers meeting, and that the Sardauna and the other two will accept your offer of hospitality and help.¹

By the time this letter reaches you, the debate in the House of Representatives about self-government for Nigeria as a whole by 1959 will presumably have taken place, and some of what follows may therefore be out of date.² I hope, however, that you will not mind if I do a little thinking aloud in the rest of this reply.

H.M.G. are certainly going to be faced with a rather new situation if all three major parties demand independence so soon, and the position will be very much more difficult. At the same time I imagine that we are all agreed that Nigeria will not be ready for self-government anything like so soon, and that the chances of preserving the unity of the country after 1959 will be very much jeopardised if a restraining and guiding (British) hand is removed from the Centre.

It would seem to me that at this forthcoming conference our line ought to be to make every effort to avoid fixing a date for the final transfer of power. How do we know what the position is going to be in 1959? The Regions which take Regional self-government this year will still have to prove themselves, and indeed it may well be that the Eastern Region will be in a state not far short of (evident) administrative chaos two years hence. Unless we have misread or misinterpreted all the advice and intelligence which we have been receiving from Enugu over the last couple of years, it would seem that even now only a thin red line of British officers stands between the Eastern Region and breakdown; and most of those officers seem likely to go fairly soon after lump sum compensation comes in.

One would hope therefore that we should not be obliged to go further, at the 1957 conference, than agreeing to hold a further conference in 1959, or thereabouts, once again to review the question of self-government.

We shall no doubt know more, in the next week or two, of this possible 'new look' as regards the demand for independence in 1959. Is it possible that it is the more right wing elements in the North that are anxious to have it, partly because they want to get the British out before we 'democratise' them too much; and that it is the more radical elements up there who, whatever they may say in public, would like us

¹ The three regional premiers and the leader of government business in the Southern Cameroons met in Lagos in April to discuss issues connected with the forthcoming constitutional conference. The meeting endorsed the demand for self-government in 1959 but differed on a number of other issues such as the regionalisation of the police which was opposed by Azikiwe.

² The debate took place on the day Williamson was writing.

to stay longer? There was, I thought, a highly significant remark in the last Northern Region Intelligence Report but one, where it was said that Aminu Kano might again seek to strengthen his contacts with his communist friends in case, after we had gone, the ruling elements in the North would act in such a way as to drive the opposition parties underground.

Some things, I hope, we shall not agree to anyway, whatever the pressures or agreement between the three Premiers. I have in mind, for example, the Regionalisation of the Nigeria police. I know that you are firmly opposed to this, and it does seem to me that if this were conceded—I have no reason to believe that it will be—H.M.G.'s ability to carry out, through the Governor-General, its broad policy would be almost completely undermined: there would be no reliable instrument left to ensure public order by an impartial machine.

I hope you will not mind my sending you these (purely personal) reactions to your letter. We shall await further news with interest, not to say some anxiety.

389 CO 554/2128, no 9 26 March 1957
[Eastern Region elections]: inward savingram no 9 from Sir R Stapledon to Mr Lennox-Boyd on the results of the Eastern Region House of Assembly elections

[Following the publication of the Foster-Sutton Report, Azikiwe transferred all his rights and holdings in the African Continental Bank to the Eastern Region government and decided to ask for a dissolution of the House of Assembly. The ensuing elections, which were in effect a plebiscite on his conduct concerning the bank, were held in March and resulted in an NCNC victory and an enhancement of Azikiwe's standing.]

Polling in the elections to the Eastern House of Assembly was completed on Friday 15th March. In spite of the fact that the large number of polling stations necessitated a wide dispersal of police there were no incidents and the operation was conducted in a surprisingly calm and orderly manner. The system of multi-member constituencies and the unwieldy voting process, requiring separate ballot boxes for each candidate, made the counting of votes a long and laborious task and in the Owerri Division, where 12 candidates contested the 6 seats, the counting of the contents of over 4000 ballot boxes was not completed until Thursday 21st March.

2. Polling was extremely variable; in Port Harcourt, where over 80% of the electorate voted and also in the Calabar and Enyong Divisions where the figure was over 70% it can be described as heavy, but in 5 Divisions less than 40% of those registered actually voted. The average percentage poll for the Region was 46.78%, compared with over 60% in the Federal Elections of 1954. But in comparing these two percentages account should be taken of the much higher registration (1¾ m.) for the Regional Elections as against that (just over 800,000) for the 1954 Federal Elections. Bearing in mind that in the Regional Elections polling followed registration in a matter of weeks it is difficult not to conclude that a significant proportion of those who registered for the first time found that enough for them, and, whether they understood the procedure or not, could not be bothered to go to the polls.

3. The elections produced the expected majority for the N.C.N.C., but, at the same time, the Action Group have every reason to regard the results as highly

satisfactory. The final figures, as reported in my non-personal telegram No. 59 are here compared with those of the last House:—

	<i>New</i>	<i>Old</i>
N.C.N.C.	64	72
Action Group	13	1
U.N.I.P.	5	10
Independent	2	1
	<u>84</u>	<u>84</u>

The significance of the results, however, apart from the obvious point that the direction of the Opposition now passes from the U.N.I.P. to the Action Group, lies not so much in the moderate increase in the number of Opposition members as in the area in which the swing away from the N.C.N.C. occurred. It was, in fact, entirely confined to the non-Ibo areas of the Region. In this connexion it is relevant to quote from para. 22 of Eastern Regional Intelligence Report No. 9 of the 10th of March:—

‘... there is only one clear cut election “issue” within the meaning normally given to the word. The opposition parties have no real hope of displacing the N.C.N.C. The “issue” therefore is whether, relying upon fear of Ibo domination, they can secure sufficient seats in the new House of Assembly to justify a claim that there is genuine popular support for a Calabar–Ogoja–Rivers State.’

4. In spite of the breakdown in the Action Group/U.N.I.P. Alliance in the Calabar Province which clearly reduced the chances of the Opposition, the confusion caused by the duplication of anti-N.C.N.C. candidates (para. 5 of Intelligence Report No. 9 refers) cost the opposition only 4 seats and did not prevent them from securing a majority of the seats in the Calabar–Ogoja–Rivers State area: 18 as against 17. This is, in fact, a reasonably accurate representation of the state of public opinion in this area since the percentage of votes cast in the constituencies concerned is:—

Action Group/U.N.I.P.	43.92%
N.C.N.C.	40.78%
Independent	15.30%

5. Indicative of the concern which is felt by the N.C.N.C. leadership at this turn of events is the fact that, through the medium of the Government sponsored Eastern Nigerian ‘Outlook’, they have attempted to disguise the significance of these figures by claiming an N.C.N.C. victory in the C.O.R. State area. This claim is justified by statistics produced by the inclusion of the Abakaliki and Afikpo Divisions where they obtained 7 seats. (These Divisions though part of the Ogoja Province are very largely Ibo in population and have not previously been included by anyone in the proposed State.)

6. It is too early to form an accurate estimate of the effect which the undoubted success of the candidates supporting the C.O.R. State Movement will have upon negotiations at the Constitutional Conference though it is clear that the Movement has emerged from the elections, if not triumphantly, then at least with considerably enhanced prestige and influence.¹

¹ See 299.

7. The natural corollary of these developments is the unfortunate one that, while the opposition to the N.C.N.C. in the present House will probably be more effective than in the last, it will, more obviously than ever, be motivated by tribal rather than political considerations. Correspondingly the N.C.N.C. becomes increasingly an Ibo party, a fact which is faithfully reflected in the composition of Executive Council where the ratio of Ibo to non-Ibo members is 11:4 as compared with 5:5 in the former Council.

8. A number of individual results are worthy of note. AZIKIWE himself, in Onitsha, secured over 77,000 votes—substantially more than any other candidate in the Region. E.O.EYO topped the poll in the Uyo Division. Of the former members of Executive Council only ESIN (former Minister of Local Government) failed to secure re-election although in the formation of the new Government both ONUBOGU (former Minister of Works) and IMEH (former Minister of Welfare) were discarded. The Minister of Finance, IMOKE, although elected as one of the members for the Afikpo Division, obtained by a considerable margin the least number of votes of any of the successful candidates. Three former Parliamentary Secretaries and the former Deputy Speaker failed to secure re-election. The closest result in the Region was in the Ikom Division (Ogoja Province) where M.E. OGON, the new Government Chief Whip, and his fellow N.C.N.C. candidate defeated their Action Group opponents by the narrowest of margins: of slightly more than 17,000 votes cast all four candidates obtained over 4000. A.C. NWAPA, former Federal Minister of Commerce, standing as an Independent, was convincingly rejected by the Port Harcourt electorate.

9. Passing references have been made to the formation of a new Government. AZIKIWE has considerably increased the numerical (though not the intellectual) strength of his team and, if the Parliamentary Secretaries, the Chief Whip and the Deputy Speaker are included, no less than 31 of the 64 N.C.N.C. Members of the House can be described as members of the Government. The purpose of this completely unjustified increase in Ministerial appointments is obvious.

10. The distribution of portfolios among the members of Executive Council is as follows:—

Dr. N. Azikiwe	...	Premier
Dr. M.I. Okpara	...	Minister of Health
Mr. I.U. Akpabio	...	Minister of Education
Dr. S.E. Imoke	...	Minister of Finance
Mr. E. Emole	...	Minister of Internal Affairs
Mr. P.O. Ururuka	...	Minister of Commerce
Mr. G.E. Okeke	...	Minister of Transport
Mr. J.U. Nwodo	...	Minister of Works
Chief A.N. Onyuike	...	Minister of Local Government
Mr. B.C. Okwu	...	Minister of Welfare
Mr. R.O. Iwuagwu	...	Minister of Justice
Mr. P.O. Nwoga	...	Minister of Agriculture
Mr. E.P. Okoya	...	Minister of State
Mr. O.U. Affiah	...	Minister of State
Mr. E.A. Chime	...	Minister of State

Brief biographical notes on the new Ministers are attached to this Savingram

together with notes on the Chief Whip.² The predominantly Ibo character of the new Government has already been indicated. It is noteworthy, also, that of the eight new Ministers no less than 5 come from AZIKIWE's own Province, Onitsha, and that the appointment of 4 Roman Catholics increases their strength on Executive Council from 1 to 5.

11. The Action Group, somewhat surprisingly, appointed S.G. IKOKU, their Organising Secretary in the Region, as Leader of the Opposition in preference to E.O. EYO. A note on IKOKU is also attached.

12. I should perhaps explain that the Premier did not consult me about the formation of the new Council. The circumstances were difficult in that the announcement of AZIKIWE's election in Onitsha could not be made until late on the Tuesday previous to the Thursday on which the House was due to hold its first meeting. An attempt on the Monday to persuade AZIKIWE to return from Onitsha in advance of the announcement of his election was not successful and he did not see me to accept appointment as Premier until the late afternoon of the Wednesday. He then told me that he was meeting the Party's Executive Committee and that as soon as that was over he could give me a list of his Ministers. Whatever his own intentions were then he gave no indication that the new Council would include a Minister of Justice and three Ministers without Portfolio. Apparently his final decisions were not taken until the morning of the Thursday and, whether by design or whether because for part of the time I was occupied with consultations with the Party Leaders (in the case of the N.C.N.C. AZIKIWE deputed OKPARA to act for him) over the appointment of the Speaker, he did not see me before the House met and sent his list of Ministers up by hand of his secretary at a time when the House was already in session. The Premier is not, of course, required to consult the Governor before recommending the appointment of Ministers, but I feel that it was unfortunate in this case that I did not have the opportunity to represent that the appointment of three Ministers without Portfolio is likely to do more harm than good, apart from providing administrative headaches.

² Annexes not printed.

390 CO 554/1583, no 23

1 Apr 1957

[Date of independence]: letter (reply) from Sir J Robertson to T B Williamson on the implications of the House of Representatives resolution. *Minutes* by T B Williamson and Mr Lennox-Boyd

Thank you for your letter WAF 16/57/09 of the 26th March and for your comments on the situation, with which I agree practically entirely.¹ I shall come back to this later on in this letter, but will first consider the debate which took place in the House of Representatives on the 26th.

2. By this time you will no doubt have read the Hansard account, and have seen how very dignified and friendly it all was. It was one of the best debates they have had since I have been in Nigeria and all the speakers obviously tried to be objective and

¹ See 388.

sensible. The tributes paid to H.M.G. and to the British officers who have served in Nigeria were heartening and one feels sorry that we couldn't have made a recording of it all and sent copies to be played over at U.N.O., in Washington and at the Kremlin.

3. Having said this however two other points seem to me to stand out. Firstly, the speakers all skated carefully over the many differences which separate the Regions and the parties. Nothing was said about the knotty problems of Regional versus Federal powers; nothing material about revenue allocation; nothing about a uniform electoral law, and very little about fragmentation. The House was content to emphasise such unity as exists in the country and, of course, this is a big step forward, and a symptom of a change of outlook which has gradually been appearing in the last eighteen months. Secondly the Northern Ministers, and especially Abubakar, carefully hedged a bit on the date. Although supporting the motion, Abubakar was careful to point out that his party had never accepted 1959 as the date for Nigerian independence. Ribadu, too, was not at all definite and I think that what they meant to say was something like this: 'We don't think Nigeria is ready for self-government yet; it may be in 1959 and we should not like to oppose this motion instructing the Federal delegates to press for it then, but our party has not decided its standpoint, and so we could not finally commit ourselves'

I have found it difficult to work out exactly what their point of view is. When the Council of Ministers discussed the original motion, which was put down as a Private Member's motion, the majority of the Council on two occasions earlier in the session was opposed to allowing it to be debated (as you know we do not ballot for Private Members' motions: the Council decides which motions are to be taken on Private Members' days): they thought that to debate it would lead to trouble, and they recalled the crisis which had arisen after a similar motion had been debated in 1953. On 22nd March, however, a few days after the Sardauna's visit, Council had changed its views and was almost unanimous in wishing the motion to be debated, and Abubakar and Ribadu were strongly in favour. Inuwa Wada was opposed. I supposed that the matter must have been discussed with the Sardauna and a line decided on.

Sharwood-Smith however tells me that the Sardauna and Makaman Bida have both expressed themselves as astounded and annoyed by the line their people in Lagos have taken and have assured him that they do not agree with what has been done. I have also heard from Inuwa Wada that no party decision was taken and that the whole business is to be discussed at a Party meeting at Kaduna in the next few days. I still however find it hard to believe that the change in the Federal Ministers' outlook was not discussed by them with the Sardauna, who stayed with Ribadu, who is his personal friend, and who went with him to meet Awolowo at Ibadan on the 19th March.

However it seems probable that the North is not committed, but whether in the general emotional atmosphere of the moment they will be able to stand out remains to be seen. If, after this debate, they go back on 1959 Southern politicians will be pretty annoyed!

4. To return now to your letter: much at the Conference will depend on how far the feelings of unity so evident in the Debate on the 26th survive the next two months, and surmount the various serious differences which are bound to come up when the controversial issues are discussed. I entirely agree with you that Nigeria will not be ready for Independence in 1959; that the East may well be in chaos by

then; that we ought not to agree to a date for independence; that we must try to prevent the Regionalisation of the Police. On the other hand we cannot forget certain factors:—

- (a) the emotional pressure, supported by world opinion, for independence is strong, certainly in the South;
- (b) to resist too strongly and get all Nigerian politicians against us would be valueless for we could hardly control this country if the population were all against us;
- (c) we must maintain a peaceful and quiet Nigeria, for that is in our ultimate interests as a trading nation. To lose the co-operation and affection of Nigerians would be to risk future good relations, when the country is independent.

So there arises the dilemma which faces H.M.G.: either to give independence too soon and risk a complete breakdown of administration, or to hang on too long, risk ill-feeling and perhaps disturbances, and eventually to leave bitterness behind.

5. But the crux is in the North. I don't really think the Northern right wing elements want independence as you suggest. The Emir of Kano spoke to Mallam Bello Dandago on the telephone before the debate and told him to go cannily, and you will have seen that he rubbed in the fact that the N.P.C. had made no decision. Sharwood-Smith tells me that in spite of all that was said in the debate there is still talk among leading people in the North of the East African High Commission idea, or at least a very weak centre. I also heard from another source that after the House of Chiefs had concluded its sitting they had an informal meeting with the ex officio members of Executive Council and asked them what all this business of Independence meant. When it was explained to them they declared themselves astounded that their representatives in Lagos had agreed to it, and said it was not their idea at all. Then the Emir of Katsina, when staying with me after we came back from Ghana, was gently and politely sceptical when I said to him that all this talk of freedom would affect us. I am going off to the North for a fortnight on Tuesday and when I come back I should have a better idea of whether all this ferment here has really touched them at all. I should expect the effects to be very much less, if indeed anyone except the few politicians are conscious of it at all!

6. There has been a good deal of talk in the House of Representatives about the ex officio members of Council. All three have been mentioned and there have been several rather strong attacks against the Chief Secretary—not personally against Grey but against the post. This has also been evident in the Council of Ministers occasionally recently, and at our last meeting Kola Balogun complained that the C.S. had been dealing in matters concerning his Ministry. There is a report that the N.C.N.C. Ministers are planning a blitz against the Chief Secretary in order to get his post abolished at the Conference. Zik is said to be behind this as a method of getting back at Grey, who he thinks was the instigator of the Tribunal. I am told that efforts are being made to find out damaging facts through clerks in the Chief Secretary's office. The truth of course is that unless there is a Prime Minister someone has to co-ordinate matters of a day-to-day nature, and this is bound to be the Chief Secretary. I found this myself in the Sudan when I was an ex officio member of the Executive Council there. Unless the Chief Secretary takes this on himself no one else can do it, as the Governor-General has to be more aloof from ordinary ministerial rough and tumble.

7. I have rambled on for a long time, with, I'm afraid, little result, and little real knowledge of what is happening. However, it may help to show you how very complex the situation is, and how little we really know about what the politicians are at.

Secretary of State

In Sir John Macpherson's absence and at Mr. Eastwood's suggestion I am sending you these papers direct.

No more important papers have come forward about Nigeria since the crisis in the spring of 1953.

The position is this.

On the 26th March the (Federal) House of Representatives passed, *nem.con.*, the following motion:—

'That this House hereby gives the Federal delegates from the political parties who are going to the Nigerian Constitutional Conference, to be held on the 23rd May, 1957, in London, a mandate to demand independence for Nigeria within the British Commonwealth in 1959.'

N.P.C. members, including Abubakar and Ribadu, spoke, at least formally, in support of the motion, though Abubakar and Ribadu can be read as having left themselves a loophole of escape if necessary.

A short analysis of the debate, provided by the Governor-General, is at (21).

You may also care to glance through the verbatim report, which is at (21/E): I have marked the more striking passages.

We have, of course, expected all along that the grant of independence to Ghana would have its impact on Nigeria. Sir James Robertson discussed this point with Lord Perth in Accra last month, and then wrote a letter to him—at (7).² This was followed by his telegram—at (9)—warning us that the question of early independence for Nigeria was coming to a head, following a Private Member's motion in the House of Representatives.

At the same time Eastern Regional Ministers in Enugu were claiming self-government for the Federal Government at the same time as Regional self-government for the East and West, i.e. ahead of Regional self-government for the North: see (8).

Lord Perth sent an interim reply in his telegram at (10/13).

Simultaneously with all this, the three Premiers have been getting together, for pre-conference talks, the initiative on this occasion apparently coming from the Sardauna. Sir James Robertson reported this in his letter at (14), and I ventured to send him some reactions of my own in my letter at (15).³

The reply to (15) is the extremely interesting letter from the Governor-General at (23). In paragraph 4 he poses very clearly the dilemma with which—unless, as is possible, there is a change in Northern thinking in the next few weeks—we shall be faced at the conference next month.

The position of the North is, of course, now very crucial. Sir Bryan Sharwood-Smith has sent an interim assessment with his savingram at (22). You will see from

² See 387.

³ See 388.

the last paragraph of this that there is to be a full meeting of the Executive Committee of the N.P.C. tomorrow, followed by further meetings at which the Northern chiefs and the Northern members of the Federal and Regional Houses will also be present. (Sir James Robertson is himself on a fortnight's visit to the North, and will be gathering ideas at first-hand).

We prepared last summer, in consultation with the Governor-General and Regional Governors, a brief on the structure of the Federal Government for your guidance at the conference which at that time we expected would take place in September.⁴ This brief dealt *inter alia* with the best tactics for postponing the final transfer of power for a further 6 years or so. A good deal of this brief may have to be re-written now, but parts of it are still very relevant, particularly those proposals dealing with the importance of retaining the three ex-officio members of the Council of Ministers at this stage so as to give us one further stage (perhaps from 1960 for a further few years) before independence; but at the same time making some constitutional advances at the Centre, e.g. the creation of an office of Prime Minister with a reconstituted Council of Ministers. If you have time I would like to suggest that you should read paragraphs 1–5, 10–13, 19, and 33–34 of this brief, which is at (45) on the 1954/56 file.

And as a general assessment of the ripeness of Nigeria for self-government, you may care to see the copy at (22A) of the paper we have just prepared for the Colonial Policy Committee in connection with the 'Profit and Loss' exercise. (This paper has not yet been approved by Sir John Macpherson).⁵

The problem, in a nutshell, is how to save Nigeria from herself, without losing her goodwill. I do not think we are yet in a position to advise you on this: we must have more thinking time, and also await the outcome of the Northern politicians' deliberations referred to above. Meanwhile I thought that you, and then the Minister of State, would wish to be fully acquainted with the position as it now is.

T.B.W.
5.4.57

I have read the letter referred to in Mr Williamson's minute. Until we get the news of the Northern meeting *today* & the G Genls views after his tour is over, it's difficult to be sure [& will still be difficult no doubt even then!] what the Northern politicians are up to.

Of course we must do all we can to guide the Conference away from 1959 for the Federation.

On the *Police*, I agree—no regionalisation. I gather the Inspector General has lately been doing imaginative things [sic] uniforms etc in the way of alternatives to meet Regional susceptibilities.

It is a bore about the Speaker.

We had better start looking round for a successor.

A.L.B.
6.4.57

I wd. like to discuss when we hear the G-G's later views & the result of the Northern meeting today.

⁴ See 371.

⁵ See 386.

391 CO 554/1655, no 2 8 Apr 1957
 [Regional self-government]: inward telegram no 44 from Sir R
 Stapledon to Mr Lennox-Boyd on a motion for regional self-government
 in 1957 tabled in the Eastern House of Assembly [Extract]

My telegram Personal No. 40.

Constitutional Conference.

Further to paragraph 2 (1), Executive Council have now decided to list opposition motion on Regional self-government in 1959 and to support following amendment:—

That this House desires that self-government be granted to the Eastern Region in 1957 concurrently with self-government for the Federation, and that dominion status should be granted to Nigeria not later than 31st March 1959.

2. Executive Council has also listed the following Opposition motion:—

That this House demands an early creation of House of Chiefs in the Eastern Region;

and has decided to support the following amendment:—

That this House urges the Eastern Region delegation to the Constitutional Conference to demand the amendment of the constitution so as to provide for the creation of an Upper House on which Chiefs could be nominated to serve.

The amendment seeks to compromise between the influential demand for a House of Chiefs and the fact that Paramount Chiefs, of the kind that constitute the Upper House in the other two Regions, do not exist in this Region. Both the demand and the fact are recognised in the report just received by G.I.Jones¹ on the position status, and influence of chiefs and natural rulers in the Eastern Region of Nigeria. In his conclusions, Jones makes no specific recommendation in regard to a House of Chiefs, but says 'Should such a political and constitutional innovation be felt to be necessary however, it is recommended that consideration be given to making such a chamber a vehicle of expression for the mature influence of elder statesmen by creating special titles, personal to the holder, which carried with them membership of this House, and conferring these titles on great and famous public figures as a reward for their past services to the Region'. The amendment was agreed only after long argument in Council. . . .

¹ G I Jones, a former DO in Nigeria, was lecturer in social anthropology at the University of Cambridge, 1946–71, and author of *Commission to Enquire into the Position, Status and Influence of Chiefs and Natural Rulers in the Eastern Region of Nigeria Report by G I Jones* (Enugu, 1957).

392 CO 554/1583 9–10 Apr 1957
 [Date of independence]: minutes by T B Williamson, W L Gorrell
 Barnes and Mr Lennox-Boyd on the resolution demanding
 independence in 1959

In Sir John Macpherson's absence last Friday I sent a minute to the Secretary of

State about the resolution in the Nigerian House of Representatives demanding independence for Nigeria in 1959.¹

The purpose of that minute was to draw the Secretary of State's attention to all the relevant papers, so that he might familiarise himself fully with the position. I offered no specific advice as to the attitude he might adopt, saying that I needed a little more thinking time.

I have been reflecting on the matter over the weekend, and would like to put forward my present views now, because we have not very much time before the conference.

From the attached copy of the paper about Nigeria which we prepared for the 'Profit and Loss' exercise² (an advance copy of which I sent to the Secretary of State with my minute of last Friday), it will be seen that our view is that Nigeria will certainly not be ready—in any normally accepted sense of the term—for independence in 1959. We really need a generation or so if we are to hand over power with any confidence that something like honest democratic self-government will take root and the country remain united.

But we certainly shan't get so long, and indeed we have realised for some time that unless things go badly wrong in, for example, Ghana or Eastern Nigeria—possibilities which we must always keep in mind—the most we can really hope for is to defer final independence for about 6 to 7 years. Our idea until very recently had been to proceed at the Centre by at least two further stages before the final transfer of power, i.e. one step to be taken following this next conference, a further step probably in 1960/61, leaving the final handover until 1963/64 or thereabouts.

1959 has now been set as the target date by the House of Representatives. Because of the various administrative arrangements which will have to be made, including re-negotiation of the Cameroons Trusteeship Agreement—a process which we need not hurry unduly—it is unlikely that independence could come before 1960.

The conclusion I have come to, though with much misgiving, is that it is not worthwhile risking the forfeiture of Nigeria's goodwill towards us by refusing the present demand for the sake of hanging on for (at the most probably) a further three or four years.

The United Kingdom's prestige and reputation are at present high in Nigeria, feelings towards us are most friendly and, on the whole (though I would make some reservations here), trusting; and our trade interests are extremely important. At present United Kingdom exports to Nigeria are running at the rate of £50m—£60m a year, and these may well increase, particularly through the important engineering and supply contracts, as physical development proceeds.

If we are to retain all this, and our capacity to influence Nigeria's thinking on international affairs in directions we would wish, then for better or worse I think we must let them have their way. The best we can hope for, perhaps, after independence is that they will for some years continue to ask the United Kingdom to supply them with a Governor-General, who will be able to exercise a restraining and guiding hand and to whom, given a continuance of friendly relations, they will undoubtedly look for advice when they get into difficulty.

As the Secretary of State knows from the papers sent to him last week, a series of meetings are taking place in the Northern Region now so that Northern leaders may

¹ See 390.

² See 386.

assess the position and determine the line they will take at the conference. It may be that they will decide to disown their representatives in Lagos. If they do I fear there will be a North/South crisis in Nigeria certainly no less acute than that of the early months of 1953. But my guess is that, possibly with certain reservations, they will support the line Abubakar, Ribadu and the rest took in the House of Representatives, and in addition they may decide to opt for Regional self-government this year in consequence. Even if they do not adopt that attitude now, I believe we must reckon on the possibility of their doing so at the conference. As we know from 1953, the North tend to waver when confronted with the other delegations; and they seldom like to be left behind.

It is of course quite possible that the present seeming unity amongst the parties will disappear when the conference tackles some of the more contentious issues, such as fragmentation, revenue allocation, uniform electoral law, to name but a few. But assuming that a sufficient degree of unity is preserved to enable all the major delegations to put forward the 'independence in 1959' claim as a united demand, I suggest that the United Kingdom delegation's response should be roughly on the lines of the following draft declaration which we might hope to get accepted for incorporation in the Conference Report:—

'The United Kingdom Government welcome the resolution passed in the House of Representatives on the 26th March in favour of independence for Nigeria within the British Commonwealth in 1959. In particular they welcome the increased sense of unity among the political parties which enabled the resolution to be adopted without a dissentient vote. For their part the United Kingdom Government have always firmly believed that it is in the best interests of the peoples of Nigeria that the unity of the country should be preserved.

If in 1959 it is still Nigeria's general wish to attain independence within the Commonwealth at that time, and assuming³ that in the interim the Regional Governments have demonstrated their integrity and capacity for good regional self-government, the United Kingdom Government will consult, not later than the 30th June, 1959, with all the Governments in Nigeria about arrangements for the final transfer of power. These arrangements would have to include special constitutional provisions to safeguard tribal and religious minorities, and full regard would be paid to the wishes of both the Northern and Southern sections of the Trust Territory of the Cameroons under United Kingdom administration and to the United Kingdom Government's responsibilities under the United Nations Charter and the Trusteeship Agreement.

Meanwhile certain preliminary administrative steps are being taken. It has been agreed that the Government of the Federation will assume responsibility for the Nigerian military forces on 1st April, 1958. An expert study of the problems connected with the establishment of a Central Bank and of a Nigerian currency has already begun with the assistance of an adviser from the Bank of England; and further measures will be taken towards training Nigerians for a future foreign service.'

³ Williamson added in the margin here: 'We should, I think, avoid giving an unconditional promise as we (virtually) did in 1953 in respect of regional self-government.'

This draft anticipates one or two decisions to be taken at the conference, but I submit it as a general framework.

If the Secretary of State approves this line in broad principle, I think we should consult the Governor-General and Regional Governors as quickly as possible and, subject to their views, the Secretary of State will presumably wish to secure the agreement of his colleagues. This might best be done in the context of the 'Profit and Loss' exercise, the present draft paper being amended accordingly, and perhaps being given priority when the composite memorandum is taken in the Colonial Policy Committee.

I am sending a copy of this minute to Mr. Watt for information.

T.B.W.
9.4.57

Secretary of State

It is nearly 2½ years since I was directly concerned with Nigerian affairs, and it is therefore with very great hesitation that I offer any comment on the exceedingly important issue discussed in the above minute by Mr. Williamson.

Nobody who has read the document attached to Mr. Williamson's minute could possibly recommend with equanimity that Nigeria as a whole should be given independence in 1959 or 1960; and, if Nigeria were to attain independence at that time, there is no doubt that this would serve to stoke up further the pressures that are building up against us in other parts of Africa where there is even less qualification for independence (East Africa) or where there is far less agreement on the desirability of independence (Central Africa).

At the same time it is necessary to recognise that if the demand for independence in 1959 to which the representatives of the North were a party in the Federal Legislature is confirmed by the leaders in the Government of Northern Nigeria and maintained by the representatives of all three Regions up to and during the forthcoming Conference, then there will be a demand which it will be extremely difficult and indeed dangerous to resist.

I think it would probably be a mistake to take a final decision until one sees how things develop before the Conference and during its opening meetings. But, subject to the views of the Governor-General and the Regional Governors, who should clearly be consulted, it does seem to me that the danger of having no alternative but to promise self-government within the Commonwealth in 1959 or 1960 is sufficiently great to make it desirable for you to be in a position to make a declaration on the subject, if at the Conference you decide that you must do so.

I assume that you would not think it right to make a declaration on the lines suggested by Mr. Williamson without Cabinet authority, and that you would consequently wish before the Conference to obtain from the Cabinet authority to make such a declaration if you considered it necessary. Before going to the Cabinet, you would need to have completed your consultations with the Governor-General and the Regional Governors. There is therefore not much time to spare.

I feel sure that, before taking even a provisional decision on this matter you will wish to discuss it with Sir J. Macpherson. He will, however, not be back until the 16th April and it seems necessary, therefore, that at least a draft communication to the Governor-General and the Governors should be got ready during his absence. I suggest that in such a communication we should not ourselves take a very definite

line but should aim rather to draw their own views out of the three Governors and the Governor-General—though they must, I think, be asked to comment not only on the question whether there would be any alternative to acceding to a request maintained by all three Regions for Federal independence in 1959, but also on the terms of the statement which would have to be made at the Conference if it were decided to accede to such a request. It would also, I suggest, be desirable to impress on the Governor-General and the Governors the importance of not letting it be known that we are even considering the possibility of granting independence in 1959 and so discouraging any tendency there may still be in the North to stand out against so short a timetable.

It will clearly not be possible to make any submission to the Cabinet until we have the replies of the Governor-General and the three Regional Governors. It is for consideration, however, whether it would not be advisable in the meantime for Nigeria Department to let those Departments, such as the Ministry of Defence and the Commonwealth Relations Office, who would be most closely concerned in the consideration of any recommendation to commit ourselves to a date as early as 1959, know that it is possible that you may be constrained to ask Cabinet to authorise you to enter into such a commitment if necessary, and to give them an advance opportunity to comment on the terms of the declaration which you might then consider making.

W.L.G.B.
9.4.57

Mr Gorrell Barnes

Though I recognise the dangers, my own feeling (not based on the same knowledge as Mr Williamson's) is that if the Northern leaders do repudiate their politicians, we ought to be glad—despite North-South problems that may arise. But we can't precipitate it ourselves.

I agree we ought to consult Gov's etc as in the last 2 paras of Mr Gorrell Barnes minute, & thereafter after Sir John M's return, the Cabinet, to whatever conclusions we come.

This is the biggest Colonial Exercise Ever & I am very reluctant to get into the mental climate that S-G in 1960 is inevitable. Even 3–4 years wd. help. & how many of the leaders are secretly hoping that *we* will take the responsibility of urging caution?

Compare the strange conversation at a Trio Talk to which Mr Gorrell Barnes acted as the host whose hospitality was imposed on today!

A.L.B.
10.4.57

393 CO 554/1583, no 33

15 Apr 1957

[Date of independence]: letter from Mr Lennox-Boyd to Sir J

Robertson giving his reactions to the resolution for independence for Nigeria in 1959

I have been reading, with the greatest concern, all the papers about the demand for independence for Nigeria within the Commonwealth in 1959. I know that you and

the Regional Governors will continue, as you have always done, to keep us most fully informed and advised of developments, and in particular that you will be sending further views after your Northern tour, and that Sharwood-Smith will be reporting after the meetings referred to in his Savingram No. 5 (to you) of the 30th March.

But meanwhile, as time is so short before the constitutional conference, I feel I should let you know my immediate reactions to the position as known to us here at present.

In your letter (C.440) of the 1st April to Williamson, you have stated the dilemma with which we may be faced.¹ You have summed up the position so well, if I may say so, that I would like—particularly for the benefit of the Regional Governors to whom I am, of course, copying this letter, to record again what you said:—

‘. . . much at the Conference will depend on how far the feelings of unity so evident in the Debate on the 26th survive the next two months, and surmount the various serious differences which are bound to come up when the controversial issues are discussed. I entirely agree with you that Nigeria will not be ready for Independence in 1959; that the East may well be in chaos by then; that we ought not to agree to a date for independence; that we must try to prevent the Regionalisation of the Police. On the other hand we cannot forget certain factors:—

- (a) the emotional pressure, supported by world opinion, for independence is strong, certainly in the South;
- (b) to resist too strongly and get all Nigerian politicians against us would be valueless for we could hardly control this country if the population were all against us;
- (c) we must maintain a peaceful and quiet Nigeria, for that is in our ultimate interests as a trading nation. To lose the co-operation and affection of Nigerians would be to risk future good relations, when the country is independent.

So there arises the dilemma which faces H.M.G.; either to give independence too soon and risk a complete breakdown of administration, or to hang on too long, risk ill-feeling and perhaps disturbances, and eventually to leave bitterness behind. . . .’

I fully realise the dangers of opposing a united demand for independence in 1959 if it is eventually put forward, and we shall have to be ready to deal with such an eventuality. As you go on to say, the crux is in the North. If the Northern leaders should repudiate their (Federal) politicians, I suppose bitter North/South friction would result. And I suppose also that many of the Northern—and perhaps some of the Southern—leaders are secretly hoping that we will take the responsibility, and the odium, of urging caution. Even an extra three or four years after 1959 would be well worth having, and doubtless many of them realise this.

Certainly I should be most reluctant at this stage to get into the mental climate that independence by 1959/60 is inevitable; and I am sure that you and the Regional Governors will not drop any hint that H.M.G. are even considering the possibility of

¹ See 390.

granting independence so soon: to do so might discourage any tendencies there may be in the North, or elsewhere, to stand out against so short a time-table.

I most devoutly hope that we shall not be faced at the conference with this united demand. But *if* we are, and *if* at the time it should seem necessary to go some way towards acceding to it (a matter on which I should, of course, need to consult my colleagues in the Cabinet), I should like to be ready with a draft declaration to put before the delegates. I should not like to have to prepare so important a declaration in the very short time in which the declaration about Regional self-government had to be prepared in 1953. Whatever we say we must at all costs, I think, try to avoid any unconditional promises, and perhaps something on the following lines might be considered:—

‘The United Kingdom Government welcome the resolution passed in the House of Representatives on the 26th March in favour of independence for Nigeria within the British Commonwealth in 1959. In particular they welcome the increased sense of unity among the political parties which enabled the resolution to be adopted without a dissentient vote. For their part the United Kingdom Government have always firmly believed that it is in the best interests of the peoples of Nigeria that the unity of the country should be preserved.

If in 1959 it is still Nigeria’s general wish to attain independence within the Commonwealth at that time, and assuming that in the interim the Regional Governments have demonstrated their integrity and capacity for good regional self-government, the United Kingdom Government will consult, not later than the 30th June, 1959, with all the Governments in Nigeria about arrangements for the final transfer of power. These arrangements would have to include special constitutional provisions to safeguard tribal and religious minorities, and full regard would be paid to the wishes of both the Northern and Southern sections of the Trust Territory of the Cameroons under United Kingdom administration and to the United Kingdom Government’s responsibilities under the United Nations Charter and the Trusteeship Agreement.

Meanwhile certain preliminary administrative steps are being taken. It has been agreed that the Government of the Federation will assume responsibility for the Nigerian military forces on 1st April, 1958. An expert study of the problems connected with the establishment of a Central Bank and of a Nigerian currency has already begun with the assistance of an adviser from the Bank of England; and further measures will be taken towards training Nigerians for a future foreign service’.

This draft anticipates, of course, one or two decisions on other issues besides the main one which have also yet to be taken, but it may do as a general framework. I should welcome the frankest expression of your views, and those of the Regional Governors, on it, and on this vital issue generally. I repeat that my mind is far from made up on it.

Finally, should we be obliged to make some such declaration, would you consider that the balance of advantage would lie in agreeing to a demand for the removal, in 1957, of some or all of the three ex-officio Members of your Council of Ministers, so as to give Nigerians a chance to see how (well or badly) they can operate at Federal

level without them, or that we should do our best to retain some or all of them. In either event I assume that the Governor-General would still preside, even given a Prime Minister.

I am sending copies of this letter to the three Regional Governors.

394 CO 554/1583, no 39

15 Apr 1957

[Date of independence]: note by Sir B Sharwood-Smith on recent discussions with Malam Abubakar Tafawa Balewa on self-government for Nigeria in 1959 [Extract]

[Many in the NPC leadership were critical of Tafawa Balewa's decision in Mar to support the House of Representatives motion calling for self-government in 1959, with the Sardauna reportedly expressing 'consternation' (CO 554/1583, no 22E, Sharwood-Smith to Robertson, 30 March 1956). Sharwood-Smith's view was that the decision of Balewa to support the motion was at least partly due to fears on Balewa's part of a repeat of the events that followed the Enahoro motion in 1953 (184).]

On the 6th April, as is his custom, Mallam Abubakar Tafawa Balewa came to see me on his arrival from Lagos for the meeting of the N.P.C. Executive Committee which was due to take place on the following two days.

2. Our meeting was prolonged and friendly but my long experience of the Fulani has taught me that, while given friendship, one can expect the truth from the best of them one cannot necessarily expect the whole truth. It would be, therefore, unwise to accept entirely without reservations Mallam Abubakar's account of what led to the Self-Government for the Federation motion.

3. In the first place he insisted that he had been unwillingly committed to the operation by Muhammadu Ribadu. He described Muhammadu Ribadu as becoming increasingly irresponsible and reckless in political matters. His (Muhammadu Ribadu's) recent suggestion to the Chief Inspector of Mines that he should set aside mining leases which have been revoked or which have expired for the benefit of a proposed Northern Mining Company to be sponsored by the Dan Tata family is certainly evidence of what he has learned from his N.C.N.C. associates in the field of dubious finance and political jobbery.

4. Abubakar also said that Ribadu had prevented him from flying immediately to Kaduna to explain the background to the Self-Government Motion by insisting that the Sardauna knew all about it already from Ribadu himself. The Sardauna confirms this. I am confident that he knew nothing about the plan both from his reactions when he heard the news and by his subsequent attitude.

5. Abubakar went on to insist that he fully realised that 'all the old dangers and all the old difficulties are still there' and that Self-Government for the Federation would present the North with a situation almost too desperate to contemplate. On the other hand, he felt that the North could not continue facing the accusation that it alone was responsible for impeding the political advance of the other two Regions and the Federation as a whole; the more so because the North had 'no real friends and supporters in the United Kingdom' where public opinion as expressed in the Press and by Members of Parliament showed no appreciation of the need for steady as opposed to precipitate progress.

6. Here I told Abubakar, not for the first time, that it was time the North stopped

apologising for itself and took more pride in its own achievements and its own virtues and assets which, in the long run, were just as valuable as speedily and often superficially acquired Western skills and techniques. Furthermore, I said that he was quite wrong to believe that the North had no friends in the United Kingdom and that I was sure that there could be no question of H.M.G. insisting on the North committing itself to courses of action which its leaders and people strongly felt were inimical to their best interests. Northern leaders, however, must state their case firmly and compellingly or the case would go by default.

7. Abubakar also made the point that, obviously, the North should reinforce the 'home front' first if it were to survive as a member of the Federation. I have the impression, however, that he is finding it difficult to resist in the depths of his heart the dazzling prospect of being the first Prime Minister of the Federation of Nigeria though, in the depths of his mind, he realises that his tenure of office would be brief and the effect of his downfall catastrophic for the people he represents.

8. I have not yet been made aware in any detail of what took place when the N.P.C. Executive Committee discussed the 1959 resolution. Certainly nothing was decided and little seems to have taken place other than recriminations with each of the Federal Ministers hotly denying the extent and nature of their complicity in the manoeuvre.

9. What has emerged, however, is a most remarkable document in the shape of the revised Northern Scheme which it is proposed to bring before the Constitutional Conference. The document is remarkable in the sense that, despite the revolutionary change in the situation, little is added and nothing subtracted from the 1956 plan.¹ The Senate reappears; more jobs for the senior boys, while the House of Assembly is to be enlarged by approximately one-third, which would provide more jobs for junior boys, almost entirely at the expense of the Native Administrations which are already tending to founder under the weight of the demands made upon them.

10. The gem that scintillates above all others in the document is a pronouncement that, should there be agreement on the appointment of a Federal Premier his status shall be no greater than that of the Regional Premiers and if he is to be called Prime Minister, the Regional Premiers must be similarly described. Insistence that the appointment of a Federal Prime Minister would² as regards world opinion automatically condemn all three Regional Premiers to outer darkness has fallen on deaf ears.

11. Northern leaders Abubakar apart almost all lack moral courage and persistently refuse to face distasteful truths, particularly in public. Still less are they prepared to force those truths down the throats of their followers. Only the whips and the scorpions of an affronted Islam are capable of ensuring a common front. . . .

20. On April 12th Mallam Abubakar came to see me again before leaving for Lagos. He seemed in excellent spirits having dismissed nearly all the N.P.C. Field Secretaries for indiscipline and disloyalty. Unfortunately, Mohommadu King, the greatest menace to public order of all, happened to be absent and not implicated but Abubakar insisted that his days also are numbered.

21. Abubakar's display of authority will undoubtedly have proved distasteful to the Sardauna and certain other Ministers who know perfectly well that he is only

¹ See 354.

² Williamson added in the margin at this point 'not?.'

doing what they should have had the courage to do long ago. It may well be that now that he is safely in Lagos they will relent and rescind the dismissals, a step which will, undoubtedly, considerably widen the gap which is already beginning to appear between him and themselves.

22. As regards future Constitutional advance Abubakar still has not made up his mind as to how he can best play his hand in order to safeguard Northern interests without becoming involved in a head on collision with the N.C.N.C. and the Action Group. He still maintains that no person with the interests of the Northern peoples at heart and a full knowledge and understanding of the implications of Federal Self-Government can deny that the ultimate answer must inevitably be separation.

23. He then told me that he had begun to find himself in opposition to many of the ideas and policies of the leaders of his party; for instance, he was in favour of a strong centre and against the Regionalisation of the Police. He had been involved, recently, in a heated argument with Sarkin Musawa, the N.P.C. Chief Whip in the Federal House of Chiefs and his supporters who maintain that if the worst came to the worst after independence the North could conquer the South by force of numbers and superior military qualities. He had told them that the physical isolation of the North would prevent them from getting assistance in the shape of arms and munitions once the protecting arm of Britain was removed. Britain could not intervene and the Arab states would be incapable of helping even if they should wish to do so, which is unlikely. On the other hand, Russia would be only too pleased to assist the South in every way in order to gain a foothold in the country.

24. It is well to note that the shadow of Middle Eastern affairs and Russian interest therein is already creeping towards this side of the continent.

25. Abubakar also spoke sympathetically about the 'Middle Belt Region' movement. He argued that as the North was fighting to prevent domination and absorption by the South, it had no right to deny the non-Moslem peoples of the North their own claim to protect themselves from analogous fears of the Moslem majority in the Region.

26. He said that, in principle he did not oppose the idea of a Middle Belt Region assuming that it could be proved to be viable and practicable. Its existence would not prejudice the interests of the Moslem North especially in view of the expressed feelings of those peoples bordering on the Eastern Region, the Idoma and the Igala and the Tiv, who feared and detested the Ibo and who were constantly imploring him to keep them in the North and to protect them against Azikiwe's expansionist policies, which will lead to the demand that the borders of the Eastern Region should be extended northwards to the Benue.

27. In his assessment Mallam Abubakar has been disproportionately impressed by the arguments of Patrick Dokotri and his U.M.B.C. colleagues on the Plateau who have become exasperated at the treatment they have received from the N.P.C. and whose only real support lies in southern Zaria and in certain limited areas in Adamawa. There is still no evidence of any support for the Middle Belt Region throughout the area as a whole though it is not beyond the capabilities of N.P.C. leadership to provoke, by sheer tactlessness, ineptitude and bad manners, a desire in the most loyal areas for independence from N.P.C. control, as a council of despair.

28. It is a great pity that Abubakar's intense interest in and devotion to the work of his Ministry has tended recently to place him out of touch with Northern affairs. He has lost much of his old following in the Region largely because it is a long time

since he has toured extensively, his only visits being confined to much needed occasional weeks of relaxation in his native town.

29. The recommendations of the Hudson Commission³ suitably implemented could provide within the Constitution fully acceptable safeguards to the non-Moslem North, in so far as, in these days, any Constitution can be considered proof against the forces of reaction or revolution or any safeguard worth much more than the paper on which they are written, once goodwill and good faith vanish from the scene.

30. To return to my talk with Abubakar. He said very frankly that, under existing and foreseeable conditions, were there an agreement to have a Northern Prime Minister of the Federation as a bid to tempt the North out of its shell, such a Prime Minister and his Government could be upset within a fortnight if it did not dance sufficiently to the tune of the South. He then said further that, despite this, certain thoughts had been forming themselves in his mind which he would like to put to paper and which he would send to me for my personal views as to their feasibility and also as to whether some means could be devised which would keep the North in the Federation without risk of domination, for as long as possible. . . .

³ See 384.

395 CO 554/1583, no 51

23 Apr 1957

'Note on a conversation with Malam Abubakar Tafawa Balewa on 20 Apr 1957': note by Sir J Robertson

[Extract]

. . . 5. I asked about 'Independence' in 1959, and he laughed, and said very much what Awolowo had said two days before. That it was a target date. Elections for a new House of Representatives, on a new electoral roll, would probably take place in April 1960, and the new House would meet soon afterwards. They would ask for 'Independence' within the Commonwealth and he estimated that the necessary constitutions and act of Parliament could not be worked out until very late in that year or soon in 1961.

6. I said this must have been difficult for the N.P.C. to accept and he said 'no': that they were agreeable enough. I said I had understood that many of the big Emirs in the North were opposed to too rapid changes, and that they had expressed themselves in no uncertain fashion to Sir Bryan Sharwood-Smith on this matter. He replied that perhaps they had; but in fact several of them wanted independence as soon as possible, because they feared if it was delayed they would have lost much of their power to the emerging educated class and would not be able to recover their old authority. He said the North respected power: they had accepted the British because they were powerful. If a Cabinet, sitting in Kaduna or Lagos, had the army and the police at their disposal they could rule the North, and went on to describe a conversation on these lines which he had had with the Emir of Katsina.

7. With regard to new Regions he said he was not personally opposed to a Middle Belt State, if it was viable and if its protagonists could point out what it was to consist of and where its capital would be. He thought it ill became the Northerners, who shouted against Ibo dominations, to complain when the non-Hausa and non-Fulani wanted a real safe-guard against Moslem domination. He went on to say he thought

compact ethnic groups throughout the country who claimed new states should have them, if they could prove popular support and viability. I said that surely this would mean that the Centre would be strengthened, and I had thought he and his party were opposed to a strong central Government. He said 'Oh! at that time there may not be a central Government'—and thought that Nigeria might easily break up and go back to what it was before the British came, and become a hotch potch of little warring groups. This would continue for a time and then someone would become strong and conquer the rest! I suggested this would be pretty hard on the ordinary people, and he agreed, but what else could be expected with the people with whom we had to deal, and launched out in a denunciation of the 'jobs for the boys' school, who were asking for a House of Representatives of 330 members, a Senate of unknown numbers, and all sorts of new appointments. He said he was tired of it all and wanted to go back after the Conference to his country and revert to his old job of a school-teacher. That could be useful and easier and he would avoid all these unpleasant messes and troubles. I said that surely this would be an unmanly decision, one which he would probably regret later on—when the urge for public life and power would come back to him, and he saw other people making a mess of thing. . . .

396 CO 554/1583

29–30 Apr 1957

[Date of independence]: minutes by C G Eastwood and Sir J Macpherson on the prospects for the forthcoming constitutional conference

I have read all the very important papers on this file from No. (23) on with of course the greatest interest.¹

On the question of the 'formula', my first impression on reading Mr. Williamson's draft was that it went rather further than we should need.² Equally I felt that Sir John Rankine did not go quite far enough but was rather nearer the mark. These impressions are confirmed by reading the later correspondence about the meeting of the three Premiers, particularly the record of the discussion with Awolowo in No. (49). It seems from this that none of the Nigerian Premiers really expect actual full self-government by 1959 and Awolowo not until the autumn of 1960 at the earliest. This suggests that they may well be content with a statement which refers to some 'next step' towards independence being taken in 1959. I doubt whether we can see clearly what that next step should be. I share Mr. Williamson's dislike of the idea of another full-scale conference but there may well have to be something of the sort if in the meanwhile there are to be bodies set up as a result of this Conference to study particular questions such as a Fiscal Commission and ? an Electoral Boundaries Commission.

However on all this the next move is with the Governor-General who is going to let us know his considered views after discussions with the Regional Governors which were to have taken place this weekend and we can wait to hear what he has to say.

¹ See 390.

² See 392.

It looks as if at least two matters are going to be less controversial than we feared. The North will apparently agree to adult male suffrage and direct elections and that should take the punch out of the Eastern pressure for 'uniform electoral provisions'. It looks too as if we should be able to keep Central control of the police with some special arrangements made for strengthening Regional Offices so as to make regionalization later possible if desired.

On the question of more states I am sure it would be wrong to create more immediately if for no other reason than the practical one that the administrative machine could not stand another big shake up. But one cannot help having some sympathy with the minority areas in the Regions—Benin—Delta, Calabar—Oil Rivers, and the Middle Belt. The best tactic would seem to be to try to meet the Benin—Delta and Calabar Oil Rivers sentiment by some sort of 'Welsh' arrangement—i.e. a Minister in the Regional Government specially charged to take care of their interests, in the way that Abba Habib is at present so charged in the North in respect of the Northern Cameroons. Conceivably there might also be a special Middle Belt Minister in the North or possibly the Hudson plan may be adequate to meet the somewhat inchoate Middle Belt aspirations. Ultimately if unitary sentiment grows, as at present it seems to be doing rather fast, it may well be that the Centre will come to have more power and the Regions less and the problems of the minorities within the Regions would then become proportionately less acute.

I send the file on at the moment simply for information.

G.G.E.
29.4.57

Seen, thanks.

All very interesting, and all showing that the Conference will be very difficult and confused. Everything that I read (and we are being very well supplied with information by the Gov General and the Regional Governors, particularly Governor North) strengthens my agreement with Sir Bryan Sharwood-Smith's remark, in one of his letters, that independence may well be delayed if we do not *overly* resist.

2. When re-reading 33/36³ this morning I made a pencilled marginal note against the phrase (in the proposed declaration) about Regional Governments demonstrating their 'integrity' and their capacity for Good Regional Self Government. I entirely agree, of course, that these must be tested (and the omens are not too good, though the situation varies from Region to Region). But these people are ultra sensitive and a phrase that hurts their pride may set up an irrational reaction. I later noted that Sir John Rankine makes the same point in (46).

3. In spite of the very careful briefs prepared we may have to play things very much 'off the cuff' during the Conference. The main thing, in my view, is to avoid giving the appearance that H.M.G. are resisting or deferring independence *in this country's interests*. I don't care whether Nigeria is dependent or independent, so long as it is loyal to The Queen and a good member of the Commonwealth: still trades with us: follows, with local adaptations, our way of life: and, I hope continues to employ people from this country, *provided that* Nigeria stays in one piece and has a reasonable Government. We want independence to be delayed *for Nigeria's sake*.

³ See 393.

The best way to achieve this is to let disagreements emerge naturally among the delegates.

J.M.
30.4.57

P.S. Please tell the Private Office that we have very interesting background material for S. of S. to read when he can make time.

397 CO 554/1775, no 32E [May 1957]
'Nigeria Constitutional Conference 1957': CO draft brief on devolution of powers to provinces by the government of the Northern Region and on constitutional provision for provincial administrations

Background information

1. At the request of the Government of the Northern Region a Commissioner (R.S. Hudson, C.M.G.) was appointed in June 1956 to advise within the following terms of reference:—

'Having regard to the great size of the Northern Region of Nigeria and to the widely differing customs and traditional systems of local government practised within the Region, to advise how best a measure of authority can be devolved on Provincial Authorities so as to provide an effective and acceptable link between the Regional Government and the Native Authorities, and to make recommendations regarding the composition and functions of such authorities.'

2. The background reasons for this request by the Regional Government were as follows (the phrase 'Provincial Administration' is used to describe the new proposed arm of Government in the Provinces):—

(a) Although a single Regional loyalty is growing steadily, the Region contains many people of different customs, habits and religions. These differences could find expression and satisfaction through an arm of Government at the Provincial level, and thus strengthen Regional unity.

(b) The twelve Provincial Administrations are required both to bring the Regional Government nearer to the people in the Provinces, thus holding them together in a unitary Region, and also to act as twelve arms of Government, having a stabilizing effect on the Regional Government itself during the difficult early days of Regional independence.

(c) The Regional Government is in some cases too remote, especially when it provides some services in a Province. The Provincial Administrations are to provide these services within the broad framework of Regional policy and subject to Regional inspection.

(d) The Native Authorities are at present over-burdened by having to provide too many services. The Provincial Administration would relieve the Native Authorities of some of these burdens; especially those services which are of a Provincial rather than a local character, are heavily grant-aided, or are mainly dependent on Regional Government technical staff for their efficiency.

3. The Commissioner's Report and a Preliminary Statement of Regional Government Policy accepting its broad recommendations were approved by the newly re-elected Government and by both Houses of the Northern Regional Legislature at the Budget Meeting, 1957, and the Northern Regional Government is now committed to the policy of maintaining and strengthening the present Provincial structure (as opposed to replacing it by the purely Divisional structure favoured by the other two, so much more compact and uniform, Regions), by providing in the Provincial Administration system a link which will strengthen and stabilize the Native Authorities on the one hand and firmly hold together the Regional structure in all its diversity on the other. It is also hoped thereby to provide a measure of popularly supported Provincial autonomy within defined limits in a unitary Region of the Federation, which will satisfy local aspirations, fears and needs.

4. The Regional Government's intention in implementing the recommendations of the Hudson Commission is to set up in each Province by law an arm of Government, which will be enshrined in the Constitution, to be called a Provincial Administration, consisting of a Provincial Council and a Provincial Authority, the latter under the chairmanship of an official of the Regional Government. The Provincial Councils will be deliberative as well as consultative bodies with defined powers and duties, including the power to pass Provincial estimates. The Councils will be representative of the Chiefs, Native Authorities and the people, and will have a majority of elected members. The Provincial Authorities will be small executive bodies acting collectively and charged with the execution of Provincial policy as approved by the Provincial Council. They will also be subject to Regional policy and the over-riding control of the Regional Government through the Ministry for Local Government. The Chairman-executive of each Authority will be the Resident, whose title for this purpose will be 'Provincial Administrator'. (It is possible that the title of 'Resident' may be retained and used by him when exercising his other (i.e. purely administrative) duties; but this has not yet been decided). All the main elements in the Provincial Council will be represented on the Authority. Regional Government staff employed on the provincialised services will be posted to the Provincial Administrations. Native Authority staff now employed on these services will be transferred to the Provincial Administrations on regional terms of service, but will only serve in their own Province. Such staff will become technically Regional Government staff, but it is intended that the Provincial Administrator, acting on the advice of a Provincial Public Service Commission, shall have delegated to him by the Governor powers of appointment, dismissal and discipline up to a prescribed scale. The revenue of the Provincial Administrations will be derived from grants, capitation rates on the Direct Tax and local taxation.

Constitutional amendments to be proposed at conference

5. The intentions of the Regional Government as outlined in the above paragraph will necessitate two amendments to the Constitutional Instrument:

(i) First,

(a) As it is accepted by the Regional Government that it is essential to write the necessary provisions for Provincial Administrations into the Constitution in order to emphasize for them a sure status, it will be proposed by the N.P.C. that a section to the following effect be written into the Constitutional Order-in-Council:—

'The Governor in Council shall be instrument under the Public Seal of the Region constitute for each Province a Provincial Administration which shall consist of a Provincial Council and a Provincial Authority to perform such functions as may be specified in such instrument or as may be vested in such Provincial Council or Provincial Authority by or in pursuance of any enactment of the Regional Legislature.'

(b) The amendment to the Constitution as suggested by the N.P.C. is acceptable and H.M.G. should endorse the proposal that the establishment of Provincial Administrations should be provided for in the Constitutional Order in Council, so that it is mandatory on the Regional Government to set up such Provincial Administrations. But, in order to ensure that the Provincial Councils and Authorities are democratic bodies and that future Regional Governments do not reduce the functions of Provincial Administrations as a result of pressure from Native Administrations or other bodies to such an extent that the powers and responsibilities of the Administrations become so small and unimportant that the whole purpose of their establishment is lost, H.M.G.'s delegation should propose the following two amendments to the N.P.C. proposal:

(i) After the words 'consist of a Provincial Council and a Provincial Authority' insert the words 'each containing a majority of elected members'.

(ii) At the end of N.P.C. proposed amendment after the words 'The Regional Legislature.' add the following: 'The functions to be performed by a Provincial Administration will as far as is practicable be services which concern a whole Province rather than individual native authority areas or the whole Region, services which require technical or other expert direction and which cannot be provided by Native Authorities without something more than advice and inspection, and services now provided jointly by the Regional Government and Native Authorities, which can be more efficiently provided by one joint body at the Provincial level. A Provincial Administration shall have the power to tax and impose charges and fees subject to the approval of the Governor in Council'.

It is for consideration whether or not the wording of the Constitutional Order in Council should go beyond this proposed amendment on functions and quote actual examples of services which will be performed by the Provincial Administrations. This would clarify this section of the Order which as proposed is liable to different interpretations as the criteria for the provincialised services are matters of opinion. Such examples might take the form of 'Natural Resources Services'. It is suggested, however, that this should be left for the legal draftsmen to advise upon when the Order is to be drafted.

(ii) Second,

(a) to provide for the establishment, in addition to a Regional Public Service Commission, of a Public Service Commission in each Province;

(b) to enable the Governor to require or permit any Provincial Administrator to whom he delegates any power under section 178(1) of the Nigeria (Constitution) Order in Council, 1954, to refer to the Provincial Public Service Commission in his Province for their advice, on such conditions as the Governor may prescribe, any matter relating to the exercise of that power;

- (c) to impose a duty on every Provincial Public Service Commission to advise any Provincial Administrator on any question which he duly refers to it;
- (d) to require every Provincial Administrator in any case in which he is required by the Governor to refer any matter to a Provincial Public Service Commission for their advice to act in accordance with such advice unless the Governor authorises him to act otherwise;
- (e) to enable the Governor to make, in relation to Provincial Public Service Commissions, regulations on the lines of section 177 of the Nigeria (Constitution) Order in Council, 1954.

United Kingdom objectives

6. The objective of the United Kingdom delegation should be to support the proposals of the Northern Region delegation with the additional amendment which it will itself propose as in paragraph 5(i)(b) for the following reasons:—

- (a) Although this is a domestic matter for the Northern Region, it is the policy of H.M.G. that constitutional changes, even if they affect only one Region, should not be made without other parts of the Federation having an opportunity to comment on them.
- (b) The Northern Region proposals will set up another arm of Government in the Region, which will bring greater administrative efficiency through devolution of power from the centre; enable the people of each Province to take a greater part in the affairs of Government; and provide a link between the Native Authorities and the Regional Government at the provincial level, which will stabilize the Native Authorities on the one hand and hold firmly together the Regional structure in all its diversity on the other.
- (c) The proposals will also provide a sound administrative basis in the Provinces, which will do much to counter any political irresponsibility which may emerge in the Region during the difficult days of political change which lie ahead. They will ensure coherent and co-operative development within each Province and will discourage overlapping, waste and conflict in development schemes.
- (d) The proposals will satisfy local aspirations and fears in the Region and ensure a united and contented North, which is necessary if the Federation is to survive the difficult days ahead. Opposition to the proposals and insistence on breaking up the Northern Region into states might lead to a demand for secession from the Federation by the N.P.C.

Possible objections to provincial devolution

7. The following objections may be put forward by the N.E.P.U. or U.M.B.C. delegations from the Northern Region, or the N.C.N.C. and the Action Group, to these proposals and the answers to them are as follows:—

- (a) *The Provincial Administration system is intended to counter the move for a Middle Belt Region in the North*

In part this is true. But the need for and the viability of a Middle Belt Region has not been proved, and the considerable Provincial autonomy, which the system will allow, will satisfy the aspirations of the Middle Belt Provinces. The suggested system was almost without exception enthusiastically welcomed in those areas when the Commission consulted all shades of public opinion in its tour.

(b) *The people do not wish to have Chiefs as members of the Provincial Administrations*

This is not true among the vast majority of the ordinary people in both Moslem and non-Moslem areas, who still do not fully respect any form of government which has not the prestige attached to it through membership by Chiefs.

(c) *The system will reduce the power of the Native Authorities and the Chiefs*

Both the Native Authorities and the Chiefs will be associated in the Provincial Administrations and the system will therefore leave them, associated with elected representatives of the Province, in the exercise of wider and more complete powers than at present in view of the considerable devolution of power by the Regional Government.

(d) *The policy is intended to entrench the present position of expatriate administrative officers under self-government*

The intensive recruitment of local administrative officers is recommended in the Report of the Commission to staff the Provincial Administrations. Also in the proposed system the Provincial Administrator has to act on the advice of the Provincial Authority; he may only act against this advice with the approval of the Regional Government.

(e) *The policy is an attempt to prevent the splitting of the North into several states as advocated by several parties in the interests of the federation*

To a certain extent true. There is however no popular desire in the North for fragmentation: in fact the opposite is the true wish of the people. The system will allow some local autonomy and administrative devolution in the large area of the Region, while maintaining the unitary character of the Regional Government, which is essential at the present time if the Federation is to have a reasonable chance of success.

398 CO 554/1842, no 1

8 May 1957

[Political situation]: despatch no 27 from Sir J Rankine to Mr Lennox-Boyd reviewing AG attitudes to a strong central government [Extract]

... 25. The most significant development, however, has been the great upsurge of feeling in favour of preserving the unity of Nigeria and the growth of the demand for full Nigerian self-government. The independence of Ghana, and particularly the emergence of Nkrumah as a world figure, has caused envy and rivalry. This together with pressures brought to bear by the students, who have long campaigned for one Nigeria, and others have had a profound effect on the Premier.¹ On March 16th he came out with the statement to the effect that with the attainment of self-government in the West his assignment in the Region would be completed and he was on his way to the Federal Legislature. Since then there have been further moves, culminating in the Motion in the House of Representatives, demanding Nigerian self-government and the meetings of the Premiers with a view to reaching agreement on the objectives at the London Conference.

¹ ie Awolowo.

The development of tribalism and its effect on the unity of Nigeria

26. The important question, of course, is whether there has been a real change of heart on the part of Action Group leaders in their attitude towards the Federation. I do not believe that there has ever been any serious desire on the part of the Action Group for secession or to break the power of the Federal Government. On the contrary, the more enlightened leaders, such as the Premier, have always admitted the need for unity. But rightly or wrongly they feel that at present there is a Government in power at the centre which is not well disposed towards the West and they are determined not to put it in a position to damage their interests. Unless and until they can see a chance of taking a reasonable share in things at the Centre, or at least a Government better disposed towards the West, I doubt whether there will be a real change. The latest manoeuvre might be regarded as an adjustment of sails to a change of wind rather than a change of mind. If, on the other hand, the Action Group could come to an arrangement, which would secure them at least a reasonable share of portfolios, that would be an entirely different matter.

27. Because the main opposition to a 'strong' Centre, and the main threat to the unity of Nigeria seems to come from tribalism, it is sometimes assumed that tribalism must be on the increase. It is also assumed that tribalism, since it appears to conflict with national advance, must be bad in itself and should be opposed. I believe that these assumptions are misleading and short-sighted. In order to understand the trend of nationalistic emotion in Nigeria to-day, it is necessary to study the sources of the influences which go to make it up against the background of the people. The social organisation of the African is still mainly communal, based on the tribe, and not on the individual as in the Western democracies. As Oliver Woods has pointed out in a discerning article in 'The Times', tribalism is probably not increasing; the truth more likely is that it is neither growing stronger nor weaker. What is happening is that it is adjusting itself to modern conditions. Tribalism can be weakened only by a positive process, when associations based on the tribe are replaced by some other organisation based on other ties. Although in the towns the detribalised African is evolving as an individual whose relations with his fellows are beginning to follow the Western pattern, the vast bulk of the population is still organised communally on the tribal pattern. They are evolving, too, but as a community not as individuals. This is the new tribalism, but there is a vast gulf between it and the Western pattern of democracy based on the individual with the vote. Oliver Woods goes on to point out that the idea that universal adult suffrage in an immature electorate can bridge this gap is illusory. 'What can too easily happen is that in the nine days' wonder of a general election the ballot box gives an answer that in no way corresponds to the realities of power and authority within the constituency. Elections of this kind may merely install a Government at the centre which appears alien to many of the rural communities, who then try to escape its control.' The hard fact remains that the recognised authority is still in the tribe or region. It is necessary to take account also of the fact that Nigeria is a synthetic entity created by the British for administrative reasons. There is 'no natural affinity either of ethnic origin or of culture between the major groups which comprise the population'.* In point of fact the Yoruba have a much closer affinity with the people across the French border in Dahomey than with their neighbours across the Niger. Although the Action Group has some footing in the East and North, and the N.C.N.C. a rather larger one in the West, the last elections have shown that for the

most part the political parties are organised on a tribal or Regional basis. By what may appear at first sight as a curious anomaly, the Regional Governments (certainly in the East and West) are in a more advanced stage constitutionally than that of the Centre. In matters within their competence to all intents and purposes they enjoy self-government already, whereas the Governor-General still has much wider powers over the Federal Government. Moreover, the interest of the big Chiefs and Emirs is focussed on the Regions through their Houses of Chiefs. Finally, it must not be overlooked that the most important representatives of the people, the leaders of the major parties, from whom (with the exception of Balewa) one would expect to find the future Prime Minister of Nigeria, are to be found not where one might expect to find them in the House of Representatives, but in the Regional Assemblies. It is not surprising therefore that in the eyes of the people the Regional Government may at present tend to loom larger than the Centre. To the outside observer perhaps the importance of the Federation and the Regions may appear to have been reversed.

28. The danger in the assumption that the present trend of tribalism conflicts with national advance is twofold. In the first place, it has led some to regard it as the chief threat to the Nigeria we have built up over the last fifty years. They envisage the 'Balkanisation' of Nigeria into a number of small independent and ineffective states. The reaction is that there must be a 'strong' central government and in the division of functions to assign as many powers as possible to the Federation. This seems to overlook the fact that the real strength of the central government must come from the support it receives from the people of the country and not from any 'teeth' it is given in the Constitutional Instrument. Secondly, it may result in the imposition of a strong Federation from above instead of a healthy growth from the bottom. Such a structure may lack the health and stability to ensure its survival. Perhaps the most prominent characteristic of the Nigerian is suspicion and jealousy. For instance, the Government of the Western Region feels very strongly that at present there is a Government at the Centre which is not well disposed towards it, if not actively hostile. If the Federal Government is made too strong at the outset when the British control is removed, or about to be removed, the Regions may be driven back into themselves and these centrifugal tendencies will be greatly stimulated. This is in fact what seems to have occurred recently in Ashanti and Buganda. I am confident, however, that the more enlightened leaders recognise the advantages of unity and the need to give the Federal Government sufficient powers to secure the adequate discharge of its functions. But I am also sure that it is wiser to approach our objective slowly and with caution. To attempt to insist at the beginning on a stronger Centre than is strictly necessary, before we have created a sufficient sense of national unity, attracted the national leaders to the House of Representatives, and set up a national Government which is recognised as such, will excite all these fears and jealousies and risk a break away rather than a strengthening of the Federation. . . .

* Hailey, 'Native Administrations in British African Territories'. Part III, page 1.

399 CAB 134/1555, CPC 7(57)2

13 May 1957

[London constitutional conference]: Cabinet Colonial Policy**Committee minutes**

[The postponed 1956 constitutional conference finally met at Lancaster House, London on 23 May 1957 under the chairmanship of Lennox-Boyd and with delegates from all three regions, the Southern Cameroons, the Federal government and the UK. The items facing the conference included the granting of self-government to the Eastern and Western Regions, the question of a federal prime minister and Cabinet, the creation of a Senate or Upper House at the centre and the issue of new regions for minority groups. However the issue that caused the most difficulty, for the CO at least, concerned the date of Nigeria's eventual self-government. The conference began with the submission of the joint memorandum agreed by the three regional premiers and the leader of government business in the Southern Cameroons at their meeting in Lagos on 16–17 April 1957 (see 388), calling for the independence of Nigeria in 1959. How to respond to this demand led to divisions between the CO and CRO that had finally to be resolved at Cabinet level.]

The Committee had before them a memorandum by the Secretary of State for the Colonies (C.P.C. (57) 12) on the forthcoming Nigeria constitutional conference.

The Colonial Secretary said that the conference would begin in London on 23rd May and would probably last until 27th June. There had been previous conferences in 1953 and 1954 during which his predecessor had felt obliged to promise that Her Majesty's Government would grant, with safeguards, regional self-government in 1956 to those Regions which desired it. The main task of the present conference would be to give effect to this undertaking. Of the three Regions, the North had been the least enthusiastic for regional self-government: although it was the largest, it was also the most backward, and feared domination by the more advanced East and West Regions. But a unanimous resolution had recently been passed in the Federal House of Representatives demanding independence for the Federation as a whole, within the Commonwealth, in 1959. It was, therefore, likely that the representatives of the Northern Region at the forthcoming conference would not only now express a desire for immediate regional self-government, but would also join with the representatives of the other two Regions in pressing for Federal self-government in 1959. If, however, the representatives of the Northern Region still held to their desire for a slower pace of advancement, they should be encouraged to put their point of view firmly to the Conference and should be supported, to the fullest extent possible, by the representatives of the United Kingdom Government. In such event there would be a better chance of securing some modification in the Nigerian demand for Federal independence as early as 1959. The difficulties and dangers of conceding this demand were very considerable. Controversial issues, such as the allocation of revenues, the creation of more regions, the division of powers between the Federal and Regional Governments and the control of the police, would all need to be settled. Some of these, in particular the last two, would not be capable of quick solution; and it would no doubt be necessary to set up a financial commission to enquire into the allocation of revenues. The issue of the division of powers between the Federal and Regional Governments might, however, be settled at the conference itself in the light of the experience of the last three years. Apart from these difficulties, there was a real danger that the immediate grant of regional self-government, particularly if linked with the early achievement of Federal independence, would lead to an early administrative breakdown in the Eastern Region. On the other hand, resistance to a united demand for

Federal independence would entail risk of serious disturbance and a legacy of bitterness and hatred when the country eventually achieved independence. The draft declaration set out in paragraph 19 of C.P.C. (57) 12 was based on the assumption that, if the demand for Federal independence in 1959 were put forward by the major parties in unison, it would be dangerous to resist it overtly.

The Commonwealth Secretary said that a declaration on the lines proposed in paragraph 19, to be made during the course of the forthcoming conference, held serious implications for the future of Commonwealth relations. The other members of the Commonwealth were already uneasy about the manner in which, as it appeared to them, the United Kingdom virtually committed them to agreeing to the advancement of individual territories from colonial status to full membership of the Commonwealth; and they were apprehensive that, as a result of this process, an Afro-Asian Bloc might gradually be created within the Commonwealth itself. The grant to Ghana of independence within the Commonwealth had been accepted under protest by the South African Government and with misgivings by the Australian and New Zealand Governments. To confront the impending meeting of Commonwealth Prime Ministers with a declaration that the United Kingdom Government would, on certain assumptions, be ready to consult with the Nigerian Governments about arrangements for the final transfer of power in 1959, might lead to considerable friction with the older Commonwealth countries. He was particularly disturbed that, on the timetable proposed, Nigeria would achieve independence before the Federation of Rhodesia and Nyasaland. It would, therefore, be preferable for Her Majesty's Government to seek to stipulate that regional self-government in Nigeria should operate experimentally for a period of five years, and that at the end of this period a commission should review future developments on the lines proposed for the 1960 review in the Federation of Rhodesia and Nyasaland.

In discussion, there was general agreement that it would be desirable, if possible, for Her Majesty's Government to avoid making any commitment to grant Federal independence to Nigeria in 1959. For this purpose it might be possible to redraft the declaration in paragraph 19 of the memorandum in less precise language; in particular, the United Kingdom Government might confine their undertaking to consultation with the Nigerian Governments about a programme for further constitutional advancement in which a constitutional commission (comparable, for example, with the Reid Commission in the case of Malaya) might be made an essential element.¹

Summing up the discussion, *the Lord Chancellor*² said that it would be useful if the Committee could consider an amended version of the declaration in paragraph 19 of the memorandum, designed to reflect the points made in discussion. In the meantime C.P.C. (57) 12 should be circulated to the Cabinet under cover of a note stating that the proposed declaration was being further considered by the Committee.

The Committee:—

(1) Invited the Colonial Secretary, in consultation with the Commonwealth Secretary, to circulate to the Committee a revised version of the declaration in paragraph 19 of C.P.C. (57) 12.

¹ BDEEP series B, vol 3, A J Stockwell, ed, *Malaya*, part III, chapter 12.

² Viscount Kilmuir, lord chancellor, 1954–62.

- (2) Agreed that the Committee should resume their consideration of this problem in the light of (1) above at a further meeting on Thursday, 16th May.
- (3) Invited the Colonial Secretary to arrange for the early circulation of C.P.C. (57) 12 to the Cabinet, under cover of a note on the lines suggested by the Lord Chancellor.

400 CO 554/1596, no 1 14 May 1957
 [London constitutional conference]: letter from Sir B Sharwood-Smith to T B Williamson on his briefing of Malam Tafawa Balewa before the London conference. *Enclosure*: 'The problem of "safeguards" for the North in respect of forthcoming constitutional advance in Nigeria'

You will wish to know how in general I have tackled Abubakar's letter. I have tried to deal with his problems in a series of Notes designed to clarify his mind on general principles and fundamental facts while at the same time emphasizing the vital importance for the Region and for Nigeria of three things all of which in one way and another are essential to ensure a united Nigeria and a united North.

I am taking it that what we must avoid is any development whereby the political leaders in unison decide to 'liberate' Nigeria in haste in order that it may 'detonate' at leisure. In other words, while we must retain goodwill, the Regions—and I am naturally thinking particularly of the North—must retain their local liberties and that what we should like would be a demand in 1957 for Independence which presumably would be accepted in principle, a mandate in the dry season of 1959–1960 after elections, the framing of the Constitution in 1960 and assuming agreement on all sides, Independence in 1961 or as soon thereafter as agreement on Safeguards, etc., etc. has been reached. In other words, a delaying action with H.M.G. as umpire, spanners to be provided by the contestants.

I am attaching copies of the two more important Notes.¹ If the suggestions therein are accepted Marshall will be able to produce draft amendments to the Constitution as necessary.

I have told Robertson the gist of what I have written to Abubakar over the scrambler. As it will be too late to catch him by mail I will show him the papers in London. Also Rankine and Stapledon if they so wish. In fact, the Notes amount to little more than a re-iteration of the obvious.

This is all I have to say for the time being other than to record that the motto is still 'Let battle continue'.

Enclosure to 400

In the first place it must be stressed that once a country achieves full independence such safeguards as may have been written into the Constitution on behalf of specified

¹ Only the first of these two notes is printed here.

communities or classes *only retain their validity so long as the Government of the country is prepared to honour them*, witness the fate of the entrenched clauses in the Constitution of South Africa. Safeguards, however, can have delaying and deterrent effects on those who wish to invalidate them *assuming adherence to constitutional methods and respect for human rights and world opinion*.

2. It seems that the Northern peoples' greatest need is to preserve (a) religious freedom (b) its system of administration (c) the status of its natural rulers (d) its territorial integrity, subject to the expressed desires of the communities concerned (e) its Public Service (f) its revenues (g) its freedom of access to world markets (h) its political stability.

3. *Firstly religion*. Approximately 65 per cent of the population of the North adhere to the Moslem way of life; of the remainder, approximately 30 per cent are Animist and the remaining 5 per cent are Christian. While the Moslem majority requires that its way of life and the prosperity of its peoples should not be prejudiced as a result of political and economic domination from outside the Region, the non-Moslem minority is equally anxious lest it should become politically and economically enslaved by the Moslem majority or that racial and religious intolerance may preclude freedom of worship and the survival of local customs and institutions. Unless this internal problem is solved satisfactorily progressive fragmentation will ensue and the solution of all other problems confronting the Region would become impossible. This fundamental issue will be discussed later on in this Note. As regards religious toleration, it has been agreed by the N.P.C. that the Constitution should contain a clause ensuring freedom of religion.

4. *System of administration*. The survival of the North's well established system of administration depends on two factors: firstly, just and impartial administration by those placed in authority including the alkalai and members of Native Courts, secondly, progressive modernisation within the existing structure in such a manner and at such a pace that the popularly elected components at each rung of the ladder do not obtain a predominating influence before they acquire the sense of responsibility that comes from experience.

5. *Natural rulers*. The maintenance of the status and prestige of the natural rulers of the Region depends largely upon two factors. Firstly, on their own personal qualities as spiritual leaders and in their record for just and impartial dealing in their Courts and in their Administrations. Secondly, in their insulation from political influence. As regards the latter, and bearing in mind possible changes of Government in the course of years, it is essential that as regards appointment and deposition and other matters appertaining to their personal status, they should not, under any circumstances, become pawns in the hands of either the political party in power or any other party desirous of obtaining power.

6. While debarred from party politics they form an essential and integral part of the governmental system of the Region. Not only does the House of Chiefs play a most important role in the Government of the country, certain of its members are members of the Executive Council of the Region.

7. It has been suggested that Chiefly matters should be in the hands of the Governor advised by a Council of Chiefs composed of Chiefly members of the Executive Council, Chiefs nominated by the House of Chiefs and the Premier. It is understood from the Premier that the original suggestion that the Governor, having taken advice, should act in his discretion, has been dropped having in mind the time

when the North will no longer have a British Governor. In my view, however, these proposals are far from providing the necessary safeguards. In the first place the Premier of the day decides what Chiefs are to be appointed to Executive Council. He can also effect their removal. He could, in fact, if he wished replace influential and responsible Chiefs by puppets or by the threat of removal from office, ensure that Chiefs in Executive Council act in accordance with his wishes.

8. To my mind the only way in which to ensure the independent status of the Chiefs is to leave Chiefly matters to the discretion of the Governor having consulted with a specified body of representative Chiefs with whom should be conjoined the adviser on Moslem Law and one individual of comparable status such as Mr. Peter Achimugu from the non-Moslem areas who would together constitute a Chieftaincy Matters Committee of the Privy Council.

9. I suggest that this Committee could consist of (1) the Sultan and the Shehu and the Adviser to the House of Chiefs on Moslem Law as ex-officio Members,² (2) not more than three and not less than two first or second Class Chiefs from the Provinces of Adamawa, Bauchi, Ilorin, Kano, Katsina, Niger, and Zaria less the Jema'a Federation to be selected by Members of the House of Chiefs from the areas named. (3) Not more than three and not less than two first or second Class Chiefs selected from the Provinces of Benue, Kabba, Plateau and the Jema'a Federation by the Members of the House of Chiefs from the areas named. This would debar Gwandu and Dikwa but it would provide for better Provincial representation.

10. It would be essential that the Committee should have balanced representation in order to provide for such Chiefdoms as, for instance, Igala and others in the southerly Provinces of the Region. In my personal view such is the diversity of interests and customs in this Region that is is essential, for Regional unity to permit the Governor a considerable measure of discretion after consultation.

11. *Territorial integrity.* It cannot be too strongly expahsized that the continuing existence of the Region and indeed of Nigeria, though this latter issue does not come with the purview of this Note, depends on an effective counter being found to the prevailing tendency to fragmentation. The fears of the non-Moslem Third could be assuaged by constitutional safeguards and by goodwill and by far the more important of the two is goodwill. The utterly irresponsible behaviour of a relatively small handful of people has transformed the self-seeking demands of a few dispersed groups, each with its own axe to grind, into the beginnings of a widely spread movement covering in some degree all the Riverain Provinces. Once the emotional forces being built up as a result of distrust and frustration achieve some measure of cohesion the landslide will start. A widespread popular demand for a Middle Belt Region would have in some manner to be met. At the moment it is in no way viable for financial, geographical and administrative reasons but, and here lies the danger, it would at once acquire adherents from within neighbouring Emirates and Adamawa, Bauchi and Zaria would begin to disintegrate with a result that the financial, geographical and administrative objections would begin rapidly to disappear.

12. Furthermore, the effect would be felt in Niger and Ilorin assuming that popular demand for secession from a disintegrating North does not result in the loss of Ilorin. Bornu will be left in the air and the final result would be four, possibly, five,

² ie the Sultan of Sokoto and the Shehu of Bornu.

Provincial groupings. This disaster, sufficient in itself, would precipitate an even greater disaster. With the C.O.R. state in the East and the Middle West state issue in the West, the case for Regionalisation would disappear and Nigeria would inevitably return to a unitarian form of Government on the effects of which on the North it is unnecessary to comment. The attached map marked A is relevant.³

13. A further most effective counter to fragmentation would be to write into the Constitution where reference is made Regional Ministers the words 'of whom three should be non-Moslems' and where reference is made to the appointment of Chiefs to the Executive Council the words 'of whom one should be a non-Moslem'. I do not like the introduction of a religious issue into a Constitutional document but the only alternative would be to designate by Provinces which might not necessarily have the same result.

14. One of the non-Moslem Ministers could have a Portfolio on the lines of the 'Welsh' solution in the United Kingdom. Furthermore, the framework of the Hudson proposals are to be embodied in the Constitution.

15. *Public Service.* The North is gravely handicapped by the small proportion of Northerners with the appropriate educational, professional and technical qualifications in its own Public Service and the Public Service of the Federation. It is meeting this disadvantage in two ways: firstly, by an intensive programme of 'Northernisation' based on long range educational expansion; secondly, by the recruitment and retention of officers from overseas with a view to assuring the success of the educational drive and to ensure progress in all fields of administration and development pending the training of Northerners. The question of 'catching up' the other two Regions on a numerical basis is clearly out of the question in that the output in those Regions is similarly being stepped up. On the other hand, mere numerical superiority is far from being everything. Quality also counts and the North has the inestimable asset of long experience in government and an atmosphere of goodwill which makes overseas officers happy to serve here.

16. In terms of safeguards, the problem therefore is will Northernisation be permitted to survive as a policy in an independent Nigeria and can the maintenance of the present good relationships be assured? As regards the former, constitutional provision can be made for the continuing existence of a Northern Regional Service. As regards the second, everything will depend on refusal by Northern political leaders to be needled by their less responsible followers into acts of political interference with the Public Service. It is absolutely essential that the composition and functions of the Public Service Commission be constitutionally so defined as to insulate it from politics. It is also essential to vest the Governor with authority to protect the members of the Service from interference, whether they be from overseas or of local origin.

17. Constitutional safeguards, however, are useless without goodwill. Personal attacks in the Legislature and failure by Ministers to look after the interests of the officers in the Departments for which they are responsible could very quickly result in a mass exodus.

18. Finally, there is the danger of fragmentation. The attached map marked B provides ample evidence of the dependence of the Region on the Riverain Provinces for the success of its Northernisation policy.

³ Not printed.

19. *Revenue.* It seems certain that, as a result of the forthcoming Constitutional Conference, a Fiscal Commission will be set up, as a result of which it would be possible to determine that the Region controls as well as receives a fair proportion of the revenues of the country, actual and potential. On the other hand, unless the North is adequately represented in the Council of Ministers it is liable to find itself at the mercy of other competing interests in the field of national finance.

20. *Access to world markets.* The Nigerian Railway is the Northern lifeline as far as access to world markets are concerned. The River Niger, and to a less degree the Benue, constitute a possible alternative in part, but export by River could never wholly compensate for export by rail. Apart from seasonal variations affecting navigability there is the problem of Port facilities in the Delta which lies outside the Region. The Niger is an international waterway but this fact in itself does not cover the problems of Port facilities.

21. The Railway operates in the North over by far the greater proportion of its length and it is dependent upon the North for its revenues. It might therefore be reasonable for the North to claim a major share of the membership of the Corporation. This would also apply to the Ports Authority though not in the same degree. One important factor is the economic interdependence of the North and the West, particularly with regard to the Western need for Northern food stuffs. For the North and the West to quarrel would be gravely disadvantageous to both. Equally the Federal Government depends on the North for much of its Revenue.

22. *Finally, political stability.* Political stability depends on wise and just government both regional and local and the maintenance of a reasonable standard of living and the removal of social injustice and the maintenance and impartial use of a disciplined Police Force. Apart from the insulation of the Police from political influence there are no constitutional means of achieving the other reforms. The remedy lies in the hands of the people themselves. They must choose their representatives with wisdom and remove them constitutionally if they fail in their duty. With regard to social justice, unless there is a change of heart on the part of the existing ruling classes in the country a social revolution, probably violent, is inevitable.

23. Too often political leaders seem to think that a solution to their problems lies in the appeasement of their followers by creating more and more highly paid 'jobs for the boys' whereas in point of fact it is the reverse of the case. As the Legislatures are progressively expanded the sight of the spectacle throughout the Region of what their political opponents term, 'under-worked and over paid' members in large and expensive cars 'wasting the tax-payers' money' is causing, and will increasingly cause, popular resentment. Any party pressing this policy plays straight into the hand of extremist agitators and opens the door wide to Communist influence.

24. A case can be made for some increase in the Regional Legislature but the point I wish to emphasize is that Legislators who vote themselves large salaries for part-time occupations are digging their own political graves. They provide the forces of subversion with dangerously cogent arguments which they will not hesitate to employ.

401 CAB 129/87, C(57)120

14 May 1957

'Nigeria': Cabinet memorandum by Mr Lennox-Boyd

As my colleagues know, the Nigeria constitutional conference will open in London on 23rd May. It will be attended by some sixty to seventy Nigerian delegates and advisers, representative of all the more important shades of political opinion in the Federation, and will probably last till the end of June.

Outline of the present constitution

2. Since 1954 Nigeria—by far the largest of the dependent territories and with 33 million inhabitants—has been a Federation of three Regions (North, East and West), the Southern Cameroons, and the Federal territory of Lagos (the Federal capital). The residual powers are with the Regions.

3. This constitution was devised by my predecessor as the only way to save Nigeria from disintegration, such is the diversity of the country and the deep-seated distrust of the major tribes—Hausa/Fulani, Ibo and Yoruba—for each other (not to speak of the fears of the many minority groups for these larger tribes).

4. There are large Nigerian majorities in all the executive and legislative organs of government throughout the Federation, with the sole exception of the Southern Cameroons Executive Council where there are four British to four Africans. There are no British officials, except the Regional Governor, in the Eastern and Western Executive Councils, no British officials in the Legislative Houses of these Regions, and only three in the Federal and Northern Ministerial Councils (in addition to the Governor-General and Regional Governor respectively) and in their Legislative Houses.

5. The powers of the Federal Government include such matters—essential to the administrative unity of the country—as defence, external affairs (in so far as responsibility is delegated by the United Kingdom Government), the Nigeria police, major communications, ports, currency, exchange control, external trade and external loans.

6. The term 'internal security' is unknown to the Nigerian constitution, but 'public safety and public order' is a concurrent subject, and the United Kingdom Government's ultimate responsibility for internal security is exercisable through the Governor-General of the Federation who has full discretionary power over the 'use and operational control' of the Nigeria police. Police supply is handled by the Federal Executive and Legislature in the normal Parliamentary way, but is within the portfolio of the (British) Chief Secretary of the Federation.

7. The Governor-General and the Regional Governors still have full reserved powers and considerable discretionary powers. The reserved powers have been used on three occasions in the East under the present constitution.

The demand for regional self-government in 1957 and for independence for the whole country in 1959

8. When the last London conference met in 1953, the two major Southern Parties, Chief Awolowo's Action Group (in power in the West) and Dr. Azikiwe's National Council of Nigeria and the Cameroons (N.C.N.C.) (now in power in the East), had presented a categorical demand for 'Dominion status' for Nigeria as a whole by 1956. The majority party in the North, the Northern People's Congress (N.P.C.), led by the Sardauna of Sokoto, now Premier of the Northern Region, had

opposed the demand knowing that independence so soon would mean domination of the 'backward' North by the more 'educated' Southerners. They had put forward as an alternative formula self-government 'as soon as practicable.'

9. The acute crisis which resulted nearly split the country and there was serious rioting, with loss of life, in Kano which was prevented from spreading only by prompt and firm action. The crisis was eventually resolved by my predecessor when he secured agreement for the present federal form of Government and, as regards self-government, to the following formula, recorded in the Conference Report (Cmd. 8934):—

'The Secretary of State for the Colonies informed the Conference that Her Majesty's Government were not prepared to fix a definite date for self-government for Nigeria as a whole, the more so as the Northern delegation, representing over half the population of Nigeria, was unable to depart from its policy of self-government as soon as practicable. The Conference eventually accepted a declaration of policy that in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible.'

10. A conference was to have been held last autumn to work out how to implement the 1953 promise of Regional self-government, including the safeguards, but it had to be postponed because of the Foster-Sutton Tribunal of Inquiry into Dr. Azikiwe's corrupt practice and Ministerial misconduct in relation to the African Continental Bank.

11. At the forthcoming conference the West and the East will claim the promise of Regional self-government, and my predecessor's undertaking will, of course, have to be honoured. At the same time I shall do my utmost to secure explicit provisions for 'good' government, for example, by safeguarding the public services, the judiciary and the police from any form of political interference, and by preserving the independence of the Attorneys-General (in relation to criminal proceedings) and of the Auditors of Government accounts. (In the case of the Nigeria police this will mean keeping them as a federal force under the discretionary control of the Governor-General.) I also intend to insist upon adequate safeguards both for the Federal Government and for the continuance of federation—in accordance with the proviso to the undertaking given in 1953, as recorded in paragraph 9 above.

12. The Northern Region have said they do not want Regional self-government till 1959. But in view of the new demand for independence for Nigeria as a whole in 1959 (with which I deal below), it is quite possible that at the conference they will claim Regional self-government now. If they do, their claim will have to be met.

13. The most recent development, undoubtedly inspired to a large extent by the grant of independence to Ghana, is the demand for independence for the Federation as a whole, within the Commonwealth, in 1959. A resolution to this effect was passed *nem. con.*, in the Federal House of Representatives on 26th March, the Northern members (who hold half the 184 elective seats) supporting.

14. Much at the conference will depend on how far the feelings of unity so evident in the debate of 26th March survive, and surmount, the various serious difficulties (e.g., on the allocation of revenues, the creation of more Regions or States, the division of powers between the Federal and Regional Governments, the control of the police) which are bound to come up when these controversial issues are discussed. Moreover there is no doubt that Nigeria will not be ready for independence, in any normally accepted sense of the term, so soon; and that there is real danger for a good long time to come of the country disintegrating, and of democratic institutions disappearing, if a guiding and restraining British hand is removed from the Federal Government (and probably from the North also). In addition there may be administrative chaos in the Eastern Region within a year or two of Regional self-government, thanks to the largely corrupt, inept and opportunist rule of Dr. Azikiwe's N.C.N.C. in that Region.

15. On the other hand we cannot overlook certain factors:—

- (a) the emotional pressure, for independence is strong, certainly in the South;
- (b) to resist too strongly and get all Nigerian politicians against us would be valueless and dangerous, for we could hardly control the country if the population were all against us; we must maintain a peaceful and quiet Nigeria, if only, to put it no higher, in our ultimate interests as a trading nation (United Kingdom exports to Nigeria run at the rate of £50–60 million annually). To lose the co-operation and affection of Nigerians would be to risk future good relations, when the country is independent.

16. This is the dilemma with which we are faced: either to give independence too soon and risk disintegration and a breakdown of administration; or to hang on too long, risk ill-feeling and disturbances, and eventually to leave bitterness behind, with little hope thereafter of our being able to influence Nigerian thinking in world affairs on lines we would wish.

17. After careful consultation with the Governor-General and the three Regional Governors, I have come to the conclusion that if the demand for independence in 1959 is put forward by the major Parties in unison—as I believe is likely—it would be dangerous to resist it overtly. Indeed to do so might only have the effect of uniting the Nigerians against us—at present our prestige and influence are high—and increasing the pressure. If, however, we appear to yield with good grace while making no unconditional promises at this stage, we should retain the present goodwill and may be able to postpone the final transfer of power, certainly until late 1960 and perhaps even till 1961 or 1962. (We know that Chief Awolowo, for example, does not really expect independence to be administratively possible till towards the end of 1960 at the earliest.) In the meantime anything may happen: if, for example, the Ghana experiment should fail, or administration break down in Eastern Nigeria, enthusiasm for early independence may cool.

18. In addition to the demand for independence in 1959, I shall be under pressure to agree to the removal of the three *ex-officio* Members (the Chief Secretary, the Attorney-General, the Financial Secretary) for the Federal Council of Ministers; and if the demand is pressed hard I think I must concede it, both to preserve goodwill and because Nigerians ought to have the opportunity to learn the hard way while a sufficient number of overseas officers are still there to help. The final change would not then be so sudden. I may be able to keep the Financial

Secretary and the Attorney-General, and I shall if I can though I am not optimistic; but the Chief Secretary will almost certainly have to go, being replaced by a Prime Minister, and the post of Deputy Governor-General will then have to be created so that the holder can assist the Governor-General with defence (including the police), external affairs, and the Federal public service. (This would be on lines similar to what we had in the Gold Coast in 1954 until independence.)

19. It will probably be necessary, at some stage in the conference, for Her Majesty's Government to make a declaration on these matters, and subject of course to how the conference may go, I would propose, *if necessary*, to go as far as a declaration on the following lines, bearing in mind that the life of the present House of Representatives is due to run till late 1959:—

“The United Kingdom Government have noted the resolution passed in the House of Representatives on the 26th March in favour of independence for Nigeria within the British Commonwealth in 1959. In particular they welcome the increased sense of unity among the political parties which enabled the resolution to be adopted without a dissentient vote. For their part the United Kingdom Government have always firmly believed that it is in the best interests of the peoples of Nigeria that the unity of the country should be preserved.

The United Kingdom Government have agreed to certain changes in the constitution to permit the appointment of a Prime Minister at the Centre and the withdrawal of the *ex-officio* Members from the Council of Ministers during the period until the life of the present House of Representatives comes to an end. (These changes will take effect as soon as the constitutional instruments have been amended.)

If, in 1959, it is still the wish of the Nigerian people to attain independence within the Commonwealth, and assuming that in the interim the Governments in the Federation have demonstrated their integrity and capacity for good government, the United Kingdom Government will consult with all the Nigerian Governments about arrangements for the final transfer of power. These arrangements would have to include special constitutional provisions to safeguard tribal and religious minorities, and full regard would be paid to the wishes of both the Northern and Southern sections of the Trust Territory of the Cameroons under United Kingdom administration and to the United Kingdom Government's responsibilities under the United Nations Charter and the Trusteeship Agreement.

Meanwhile, certain preliminary administrative steps are being taken. It has been agreed that the Government of the Federation will assume responsibility for the Nigerian military forces on 1st April, 1958. An expert study of the problems connected with the establishment of a Central Bank and of a Nigerian currency has already begun with the assistance of an adviser from the Bank of England; and further measures will be taken towards training Nigerians for a future foreign service.’

20. Subject to developments in the meantime, I would expect it to be necessary to ask the United Nations to hold a plebiscite in the British Cameroons in 1959 or 1960.

21. I seek the concurrence of my colleagues in the course outlined above, and in making, if necessary, a declaration on the lines set out in paragraph 19.

402 CAB 134/1555, CPC(57)13

15 May 1957

'Nigeria: proposed text of declaration': note by Mr Lennox-Boyd for Cabinet Colonial Policy Committee

I circulate, in accordance with the decision at the last meeting of the Committee (C.P.C. (57) 7th Meeting, Minute 2, Conclusion (1)),¹ a revised version of the declaration in paragraph 19 of C.P.C. (57) 12.

2. I understand the Commonwealth Secretary will be circulating his comments.

'The United Kingdom Government have noted the resolution passed in the House of Representatives on the 26th March in favour of independence for Nigeria within the Commonwealth in 1959. In particular they welcome the increased sense of unity among the political parties which enabled the resolution to be adopted without a dissentient vote. For their part the United Kingdom Government have always firmly believed that it is in the best interests of the peoples of Nigeria that the unity of the country should be preserved.

2. The United Kingdom Government have agreed to amend the constitution so as to permit the appointment of a Prime Minister at the Centre and the withdrawal of the ex officio Members from the Council of Ministers during the period until the life of the present House of Representatives comes to an end in 1959.

3. Thereafter, if it is still the wish of the Nigerian people to attain independence within the Commonwealth, and assuming that in the interim the Governments in the Federation have demonstrated their capacity for good and stable government, the United Kingdom Government will consult with all the Nigerian Governments to work out a programme for the attainment by the Federation of Nigeria of such a status as would enable it to become eligible for full membership of the Commonwealth. The programme would have to include the making of special constitutional provisions to safeguard tribal and religious minorities, and full regard would be paid to the wishes of both the Northern and Southern sections of the Trust Territory of the Cameroons under United Kingdom administration and to the United Kingdom Government's responsibilities under the United Nations Charter and the Trusteeship Agreement.

4. Meanwhile, certain preliminary administrative steps are being taken. It has been agreed that the Government of the Federation will assume responsibility for the Nigerian military forces on 1st April, 1958. An expert study of the problems connected with the establishment of a Central Bank and of a Nigerian currency has already begun with the assistance of an adviser from the Bank of England; and further measures will be taken towards training Nigerians for a future foreign service.'

¹ See 399.

403 CAB 134/1555, CPC(57)14

15 May 1957

'Nigeria: proposed text of declaration': note by Lord Home for Cabinet Colonial Policy Committee, circulating a revised draft of paragraph 3

The Colonial Secretary has consulted me about the revised version of the declaration in paragraph 19 of C.P.C. (57) 12 which he was invited by the Committee at its last

meeting to draft and which he has since circulated in C.P.C. (57) 13.¹ I regret to say that I am unable to accept the terms of the third paragraph of his revised draft and am circulating for the consideration of the Committee the annexed redraft.

‘Meanwhile the United Kingdom Government draw attention to the undertaking given by them at the London Conference of 1953 that they would, in 1956, grant to those Regions which desired it full self-government, subject always to the exercise by the Federal Government of its legitimate functions. While there has been unavoidable delay in convening the present Conference, which had originally been timed to take place in September, 1956, Her Majesty’s Government now propose that, should it still be the wish of the Federal and Regional Governments and of the peoples of Nigeria to obtain independence within the Commonwealth as a federal, sovereign state, the following steps should be agreed upon by the present Conference:—

- (i) The three Regions, or those of them which so desire, should now accept the 1953 offer of self-government, subject to the provisos contained therein.
- (ii) If, after a five year period of regional self-government the Governments in the Federation have demonstrated their integrity and capacity for good government, a Constitutional commission should then be appointed to make recommendations as to the framing of a Constitution for a fully independent Nigeria.
- (iii) It would in particular be the duty of the Commission to review the present Constitution of the Federation in the light of the experience gained since its inception, and to consider the constitutional and other changes which would be necessary to enable the Federation of Nigeria to become eligible for full membership of the Commonwealth.’

¹ See 402.

404 CAB 134/1555, CPC 8(57) 16 May 1957 [London constitutional conference]: Cabinet Colonial Policy Committee minutes. *Annex*

The Committee considered memoranda by the Secretary of State for the Colonies and the Secretary of State for Commonwealth Relations (C.P.C. (57) 13 and 14)¹ suggesting alternative revised versions of the declaration set out in paragraph 19 of C.P.C. (57) 12.²

The Colonial Secretary said that the version which he had suggested was designed to meet, so far as seemed practicable, the anxieties expressed at the last meeting of the Committee about the dangers of granting Federal independence to Nigeria prematurely. In the view of the Nigerians the United Kingdom Government had already conceded their demand for regional self-government by virtue of the statement made at the 1953 conference by the then Colonial Secretary (the text of which was set out in paragraph 9 of C.P.C. (57) 12). The Nigerian delegates at the forthcoming conference could, therefore, be expected to press strongly for Federal

¹ See 402 and 403.

² See 401 for para 19 in the memo put to Cabinet.

independence as the next stage. But the representatives of the North and West Regions might well have some reservations about the desirability of achieving Federal independence at too early a date and the version of the declaration which he had suggested was designed to attract their support. He did not feel that it was feasible to stipulate that regional self-government should operate experimentally for a period of five years before Federal independence could be considered. And a proposal to appoint a Constitutional Commission might be interpreted as a delaying device. It might, therefore, be preferable to propose a conference rather than a Commission.

The Commonwealth Secretary said that the draft which he had proposed reflected his anxiety to avoid fixing a date for the achievement of Federal independence. If the Committee felt unable to accept his suggestion for a five year delay between regional self-government and Federal independence, he must nevertheless press his view that the appointment of a Constitutional Commission would serve a useful purpose. It would in any case be preceded by a conference, and possible Nigerian objections might be met if it were made clear that the Commission would be composed of representatives of the Federal and Regional Governments as well as the United Kingdom Government.

The Lord Chancellor then put forward for consideration a further draft, designed to achieve some reconciliation of the views of the Commonwealth Secretary and the Colonial Secretary. The Committee were in general agreement with this draft: the text, as amended in discussion, is annexed to these minutes. It was suggested, in the course of discussion, that the composition of the proposed Constitutional Commission might be left open, since there were good arguments for following the Malayan precedent where the Commission had been composed of outside authorities rather than representatives of the governments concerned.

The Lord Chancellor said that he would circulate to the Cabinet the version of the draft declaration which had been agreed in discussion. He would make it clear that, while the Colonial Secretary was attracted to it at first sight, he wished to have an opportunity for further reflection.

The Committee:—

Took note that the Lord Chancellor would circulate to the Cabinet the revised version of the draft declaration, as agreed in discussion.

Annex to 404

'The United Kingdom Government have noted the resolution passed in the House of Representatives on the 26th March in favour of independence for Nigeria within the Commonwealth in 1959. In particular they welcome the increased sense of unity among the political parties which enabled the resolution to be adopted without a dissentient vote. For their part the United Kingdom Government have always firmly believed that it is in the best interests of the peoples of Nigeria that the unity of the country should be preserved.

2. The United Kingdom Government have agreed to amend the constitution so as to permit the appointment of a Prime Minister at the Centre and the withdrawal of the ex officio Members from the Council of Ministers during the period until the life of the present House of Representatives comes to an end in 1959.

3. Thereafter, if it is still the wish of the Nigerian people to attain independence within the Commonwealth, and assuming that in the interim the Governments in the Federation have demonstrated their capacity for good and stable government, the United Kingdom Government will confer with all the Nigerian Governments to determine the processes whereby the Federation of Nigeria would advance towards independence within the Commonwealth. In the view of Her Majesty's Government, an integral element in such processes would be the appointment of a Constitutional Commission to make recommendations for the framing of a Constitution for a fully independent Nigeria. It would in particular be the duty of the Commission to review the present Constitution of the Federation in the light of the experience gained since its inception and to consider the constitutional and other changes which would be necessary to enable the Federation to become eligible for full membership of the Commonwealth. Included within these matters would be the making of special constitutional provisions to safeguard tribal and religious minorities and full regard would be paid to the wishes of both the northern and southern sections of the Trust Territories of the Cameroons under the United Kingdom administration and to the United Kingdom's responsibilities under the United Nations Charter and the Trusteeship Agreement.

4. Meanwhile, certain preliminary administrative steps are being taken. It has been agreed that the Government of the Federation will assume responsibility for the Nigerian military forces on 1st April, 1958. An expert study of the problems connected with the establishment of a Central Bank and of a Nigerian currency has already begun with the assistance of an adviser from the Bank of England; and further measures will be taken towards training Nigerians for a future foreign service.'

405 DO 177/83, no 6

21 May 1957

[London constitutional conference]: minute by A W Snelling on the Cabinet discussions on the date of Nigerian independence

There are two papers on Nigeria for tomorrow's Cabinet. The first is a long memorandum by the Colonial Secretary and the second is a paper by the Lord Chancellor containing a redraft of the proposed declaration in para. 19 of the long paper.¹

2. This redraft of the declaration is a compromise version between that originally suggested by the Colonial Secretary and the counter version put forward by the Secretary of State who wanted a 5 year interval between regional self-government and federal independence.

3. I think that if there is any disposition on the part of the Colonial Secretary or anyone else to re-open this point, the Secretary of State ought to be able to demonstrate that he has given a great deal of ground to the Colonial Secretary. Various conditions would have to be satisfied in the compromise version after 1959:—

¹ See 404, annex.

- (i) It would still have to be the wish of the Nigerian people to attain independence. (If they are well nigh unanimous in 1957 I suppose it must be taken for granted that they will still want independence in two years time);
- (ii) the governments must have demonstrated their capacity for good and stable government. (The draft does not say to whose satisfaction this must be demonstrated, presumably ours or it is meaningless);
- (iii) there is then to be a conference on processes;
- (iv) and a Constitutional Commission (It seems to follow that this Commission would be like the Reid Commission in that its task would be not to decide whether independence is to be conferred but how it is to be done. The Reid Commission took less than one year. Therefore the net effect of the compromise could be that Nigeria would become independent in 1960 or 1961 i.e. one and perhaps two years have been lopped off the five years which we in this Office thought the minimum period necessary, and which is to be contrasted with the six or seven years which elapsed between the advent of Dr. Nkrumah to power and independence for Ghana).

406 CO 554/1900, no 35

29 May 1957

[Diplomatic service]: despatch no 783 from Sir S Foster-Sutton to Mr Lennox-Boyd on the selection of the first trainees for the Nigerian diplomatic service

I have the honour to inform you that in accordance with the policy outlined in Sessional Paper No. 11 of 1956, of which a copy is attached for ease of reference, twelve Nigerian Officers have been selected for training for the representation of their country overseas.¹ The names of the successful candidates, with a short curriculum vitae in each case and the initial posting proposed for each of them are contained in the Appendix to this Despatch. These twelve represent only the first year's intake and recruitment will continue.

2. It is proposed that three of the successful candidates (Messrs. Ifeagwu, Ukegbu and Haastrup) shall be posted to the Nigeria Liaison Office, Washington, where they will assist the Liaison Officer to carry out the extended functions of the office outlined in my Secret Despatch No. 576 of the 20th April, 1957. It is hoped that they will also be afforded the opportunity to see something of the operation of the British Embassy and thus gain the maximum benefit from their period of training in Washington. I shall be grateful if the particulars of these three Officers may, in accordance with your Circular Savingram No. 365/57 be submitted for the approval of Her Majesty's Ambassador in Washington, together with a request for his co-operation and assistance in their training.

3. A further four Officers (Messrs. Omololu, Igwe, Garba and Williams) are to be posted in the first instance to the Office of the Commissioner for the Federation of Nigeria in the United Kingdom. It is proposed that they shall spend

¹ Annex and appendix not printed.

at least six months in that office during which time they will be practically employed in the normal business of the office. It is, however, hoped that it will be possible for them to attend the short six or seven weeks course which it is understood the Foreign Office organises from time to time for Commonwealth Diplomats in training. I am informed that there is some possibility of such a course taking place in August of this year and should that be so it would be much appreciated if the names of the four men posted to London could be submitted for inclusion. It is not considered that the Nigeria Office in the United Kingdom will provide satisfactory opportunities for the whole of the training of these men and it would give great satisfaction to my Government if it were possible for them, after some six months experience in London, to be attached to Foreign Office or Commonwealth Relations Office posts abroad. I believe that this assistance has been given to some other Territories and it would be a very great help if Nigeria could also benefit in this way.

4. Three of the successful candidates (Messrs. Chukura, Ogunsulire and Harriman) have not had any part of their education outside Africa. It is felt that the best possible introduction to their subsequent training would be for them to spend a year at one of the older English Universities where, apart from the academic instruction they would receive, they would have an opportunity to shed some of the provincialism which might be a handicap to them in their later careers. I am informed that those connected with the training of cadets for the Ghana Overseas Service found a course provided by Oxford University extremely valuable and it will be much appreciated if it can be arranged for the three Officers mentioned to attend this course. There has been semi official correspondence with Mr. H. P. W. Murray, Supervisor, Overseas Service Courses, who as a result of preliminary enquiries has indicated that the University Authorities would accept up to six Nigerians for the course in the academic year 1957-58. My Government would be most grateful for your assistance in making the approach to the University and in securing admission to colleges.

5. One Officer (Malam Muhammad Sanusi) who is a Moslem from the Northern Region is to be posted to Khartoum as Assistant Pilgrim Officer and I should be grateful if the agreement of the British Ambassador may be sought for this. In order to give a wider emphasis to the training he will receive at Khartoum it would be of great benefit if he also could attend the Foreign Office Course referred to above and I should be grateful if his name may be included in any list sent to the Foreign Office.

6. Thought has been given to the part which should be played by the Commissioner for the Federation of Nigeria in the training of those Nigerians posted to the United Kingdom including those attending courses run by the Foreign Office or courses at Oxford University. It is suggested that approaches to the Foreign Office, whether for courses or attachments and approaches to universities for the admission of students, should be made only by the Colonial Office and should be the subject of correspondence between Nigeria and the Colonial Office. The Commissioner would be responsible for the pay, discipline, and other local administrative arrangements of all Officers posted to the United Kingdom for training, whether on courses or actually serving in his office. I shall be glad to learn whether this proposal is satisfactory to you.

407 PREM 11/2436, no 20

22 June 1957

[London constitutional conference] minute from Mr Lennox-Boyd to Mr Macmillan on the date of Nigeria's independence

I am very sorry to bother you at such a time with this *cri de coeur*. The Nigerian Conference, which has gone on the whole unexpectedly well, will, D.V., complete its plenary meetings by tomorrow (Sunday) night, though we have Monday in hand if I have to use it.

2. The outstanding difficulty is over the formal request made to me by the three Premiers for 'self-government for the Federation within the Commonwealth in 1959'. Yesterday I spoke to them along the lines of the authority that I have had from my colleagues. The Cabinet asked me 'to limit any formal declaration of policy to the minimum of commitment and to undertake no more than that we would confer in 1959 with all the Nigerian Governments to determine the processes whereby Nigeria might attain independence within the Commonwealth. The nature of these processes, and the period over which they would require to operate, might be left for a subsequent and less formal statement.' I kept very carefully to this line. It was received in stony but not unfriendly silence!

3. I think it is a fair summary of their reactions to say that when they began to talk they were all agreed on the following line. There is to be, they said, an election at the end of 1959. They gave me a solemn undertaking that there would not be an election before, and incidentally the Governor-General will not dissolve the House before. They would like, after the election, their new Parliament, say about January 1960, to pass a motion by a reasonable majority proposing a specific date for independence, which H.M.G. would agree to endorse. This is a considerable advance on the line taken hitherto in that we are not asked to consider any date until we get the motion in, say, January 1960.

4. If it were not for the Central African Federation (and we have promised Welensky¹ a conference in 1960 on their future constitutional development), I would be reasonably happy with this proposition. Welensky and Rhodesia, however, must be taken into account. I have therefore had a talk this morning with Alec Home and he would regard an approach by me on the following lines as not only within the authority that I already have from the Cabinet but as fully justifiable and acceptable.

I would, if I take this line, say that about January 1960 I understand the Nigerian Parliament will debate a resolution asking H.M.G. to agree to independence by a date which will have been mentioned in the resolution. In any case the constitutional machinery would take a considerable time and they would no doubt bear this very much in mind in coming to a conclusion as to what date they should ask for. It might also, of course, be (as many of them have urged) a good thing for there to be some informal consultation between them and us as to what sort of date was realistic, but I would not suggest that we should bind ourselves at this stage to have that consultation. On receipt of their resolution, H.M.G. would consider it with sympathy and would be prepared to fix a date when it would accede to the request. They

¹ Sir Roy Welensky, prime minister of the federation of Rhodesia and Nyasaland, 1956–63.

could not at this stage give any undertaking that the date would be the same date as asked for in the resolution, though H.M.G. would do their utmost to meet the resolution in a reasonable and practical manner. Delegates I hope know H.M.G. well enough to know that they would not invent reasons for lengthening the period between the resolution and the date. H.M.G. would of course be very much guided in their choice of a date by the way everything was going, by how the two Regions now about to enjoy regional self-government had taken the strain of this great step forward, and by how the country as a whole had faced up to the problems of minorities, on which a Commission would already have reported.

Alec is happy with this wording and has asked me to tell you so. I have throughout been very anxious to avoid a Balfour Declaration² and I think this does it. It would be the greatest possible help to me if you could give me the green light in time for me to speak on these lines tomorrow morning. I am quite happy, and so is Alec, that it goes no further than the Cabinet authorisation.

5. There is, however, a possibility that I may not be able to get away with this. In that case I would have to stall and explain the position orally to my colleagues on Monday morning. But my hunch is that we shall be able to get away with my proposal.

6. I am sending a copy of this to Alec Home.³

² Presumably a reference to the ambiguities of the 1917 Balfour declaration concerning a Jewish national home in Palestine.

³ Having noted that the three premiers had asked for self-government within the Commonwealth (first sentence of para 2 of Lennox-Boyd's minute), Macmillan replied that the words 'within the Commonwealth' should be inserted after the word 'independence' in the first sentence of the Secretary of State's proposal (minute, 22 June).

408 CO 1029/255, no 5

[June 1957]

'Oil prospecting in Nigeria': CO note for Mr Lennox-Boyd

[The CO noted that following the Suez crisis, pressure for oil prospecting licences in Nigeria from American firms increased considerably (CO 1029/255, no 4, Kisch to Armstrong 25 June 1957). This interest was led by Mobil, Standard Oil of California and Standard Oil of New Jersey. The increased American interest raised issues of whether such oil prospecting companies would need to be British registered or not and equally, whether they should register separately in Nigeria]

Two companies are at present operating in Nigeria, the Shell-B.P. Petroleum Development Company of Nigeria Ltd. (since 1937) and Mobil Exploration (Nigeria) Ltd., a subsidiary of the American Socony-Mobil Company (since 1956).

2. Shell-B.P. holds prospecting licences in the Western and Eastern Regions covering the Niger Delta and other areas and an exploration licence in the coastal belt of the Cameroons. The Company has found oil and natural gas at the following places:—

Akata (Eastern Region). Natural gas has been located and the Federal Government is considering its exploitation and use. It is not expected that oil will be found there.

Oloibiri (Eastern Region)—45 miles east of Port Harcourt. Oil has been found and three wells have produced at the rate of 1,000 barrels a day each during initial tests; when the necessary facilities (i.e. small pipeline and steel barges) are available, production tests will begin, probably later this year. Prospects at Oloibiri seem good, and the Company has already decided to build a 10" pipeline to Port Harcourt, 75 miles in length, in order to accelerate their production tests. This would not of course be sufficient to cope with full commercial output. The results of the tests will not be known for some time.

Afam (Eastern Region)—25 miles east of Port Harcourt. Oil has been found and one well has produced at the rate of 700 barrels a day during initial tests. A second well has, however, proved unproductive. The results of further drilling must be awaited before a production test can be considered.

3. Mobil Exploration (Nigeria) Ltd. have an exploration licence covering the whole of the Northern Region except for a small portion already held by Shell-B.P. The Company's latest report shows that its interest is at present confined to two areas, the first in the south immediately to the north of Shell-B.P.'s area and the second in the Bornu-Chad area. The Company will probably surrender over 60% of the licensed area.

4. It is also understood that two other companies, (Mobil Exploration (Nigeria) Ltd. and Standard California, another major U.S. company) are interested in obtaining an exploration licence over part of the Western Region.

Financial arrangements

5. Royalties from crude oil production at 4/- a ton during the current Prospecting Licence stage and 12½% ad valorem during the Mining Lease stage, are levied and collected by the Federal Government but are returned to the Region from which the oil is extracted. Company tax at 9/- in the £ is payable to and retained by the Federal Government: it will however be some time before Shell-B.P. begin to pay any tax since the value of their investment so far, estimated at £13-£14 million, will have to be written off against profits.

6. There have been discussions between the Federal Government and Shell-B.P. about the total share of the profits which should be paid in tax and royalties and it seems likely that an agreement to share profits on a 50/50 basis, similar to those in the Middle East and in Ghana, will be adopted.

409 CAB 133/227, NC(S)(57)20

26 June 1957

[London constitutional conference]: CO press communiqué on the report of the Nigeria constitutional conference

[The constitutional conference finished on 26 June, and agreed to a resumed ad hoc conference meeting in Lagos to complete its business; this met in Feb 1958 under the chairmanship of the governor-general (see 417, note 1). Following the decisions of the 1957 conference, regional self-government came into force for the Eastern and Western Regions on 8 Aug 1957. The Princess Royal visited Nigeria at the end of 1957 formally to mark the attainment of regional self-government.]

The Conference on the Nigerian constitution, which opened at Lancaster House on 23rd May, 1957, under the Chairmanship of the Secretary of State for the

Colonies, the Rt. Hon. Alan Lennox-Boyd M.P. concluded to-day 26th June, 1957.

The Conference agreed on its Report, which will be published as a White Paper simultaneously in London and Nigeria within about ten days.¹

The following is a summary of the most important proposals in the Report.

Regional self-government in the Western and Eastern Regions

The Western and Eastern Regional Governments asked that the undertaking given by the United Kingdom Government in 1953 should be implemented following the present Conference. The Secretary of State reaffirmed that pledge, and the Conference reached agreement on detailed proposals for the constitution of these self-governing Regions. These recommendations will include special provisions to ensure the independence of the Judiciary, the Public Service (including the Audit Service), and the Director of Public Prosecutions. The Director of Public Prosecutions should be an officer in the Public Service with sole responsibility for the initiation, conduct and discontinuance of prosecutions.

It was agreed that safeguards for the Federation should be provided thus:—

(a) The Governor should be required, acting in his discretion to reserve for Her Majesty's pleasure any Bill which in his opinion might have the effect of impeding or prejudicing the performance by the Federal Government of any of its functions or endangering the continuance of federal government in Nigeria;

(b) the Governor-General in his discretion and with the approval of the Secretary of State should be empowered to issue such directions to a Region as he might think necessary to ensure that the executive authority of the Region was not exercised in such a way as to impede or prejudice the performance by the Federal Government of any of its functions or to endanger the continuance of federal government in Nigeria.

Detailed arrangements were agreed upon for lump sum compensation schemes and special safeguards for certain categories of public officers.

The Secretary of State undertook that, in advance of the making of the main constitutional instruments (which would take some months), he would submit to Her Majesty within the next few weeks proposals for interim instruments to enable a very large measure of self-government to be introduced in the Western and Eastern Regions at an early date.

Constitution of the Northern Region

The Northern Region asked that Regional self-government for the North should be introduced in 1959. In the meantime certain constitutional advances were recommended, including an increase from 131 to 170 in the number of elected members in the House of Assembly and an enlargement of House of Chiefs from 50 to 62. As is normal at this stage of constitutional development, the Civil Secretary and Financial Secretary should cease to be members of the Executive Council, and the post of Deputy Governor should be created. The necessary steps to give effect to these changes would be taken at the earliest possible date.

¹ *Nigeria Constitutional Conference, London 1957. Report* (London, 1957) Cmnd. 207.

Minority problems and the question of new states

The Conference reached agreement as follows (see communique issued on 14th June):—

(a) A Commission of Enquiry should be appointed by the Secretary of State to ascertain the facts about the fears of minorities in any part of Nigeria and to propose means of allaying those fears whether well or ill-founded.²

(b) Though the desire for the creation of new States in part arises from the fears of minorities, it would be impracticable to meet all these fears by the creation of new States. There are many different ethnic groups and peoples in Nigeria and however many States were created, minorities would still inevitably remain. The Commission should therefore propose other means of allaying these fears and consider what safeguards should be included in the constitution.

(c) However, if no other solution seemed to them to meet the case, the Commission should be empowered as a last resort to make detailed recommendations for the creation of one or more new States, specifying the areas to be included and the governmental and administrative structure most appropriate.

(d) Before agreeing to any such recommendation, the United Kingdom Government would have to take into account the effect of the establishment of any such new States on the existing Regions and on the Federation as a whole. The United Kingdom Government would also have to be satisfied by the Commission that any such new State would be viable from both the economic and administrative points of view, since in their view administrative and other practical reasons would inevitably limit most severely the possibility of the further sub-division of Nigeria into States modelled on the present Regional system. The United Kingdom Government also considered that while the creation of even one more State in any Region would create an administrative problem of the first order, the creation of more than one such State in any Region could not at present be contemplated.

*Structure of the federal government**Legislative houses*

The Conference noted the understanding among the delegations of the major political parties that the present Federal House of Representatives should run its full course, i.e. until about the end of 1959. It was agreed that thereafter the House should consist of 320 Representative Members elected on the basis of one member for approximately each 100,000 of the population.

After the dissolution of the present House of Representatives a second Legislative House should be established with the title of Senate. The Senate should be composed of 12 members from each Region and the Southern Cameroons, 4 members from the Federal Territory of Lagos, and 4 Special Members appointed by the Governor-General in his discretion. Arrangements were agreed upon for the procedure for the selection of Senators.

² Sir H Willink was appointed in July 1957 to undertake this commission.

Council of Ministers

The Conference agreed to recommend the creation of the office of Prime Minister of the Federation, and the Secretary of State undertook to submit to Her Majesty at an early date proposals for an amendment to the constitution to provide accordingly.

The Chief Secretary, the Attorney-General and the Financial Secretary should cease to be members of the Council. Instead of the office of Chief Secretary the office of Deputy Governor-General should be established. The Attorney-General of the Federation should, until independence, remain a public officer with sole responsibility for the initiation, conduct and discontinuance of prosecutions.

The Prime Minister should be free to recommend to the Governor-General the appointment as a Minister of any member of the House of Representatives, including any member representing a Lagos constituency, except that there should continue to be one Minister drawn from the members of the House of Representatives elected in the Southern Cameroons.

The governor-general

The Conference agreed to recommend that until independence the powers of the Governor-General should apart from certain specific changes remain unaltered and in particular that he should continue to be responsible in his discretion for defence matters and for such external relations as might be entrusted to the Federation by the United Kingdom Government.

Federal electoral arrangements

Members of the House of Representatives should be elected by universal adult suffrage in the Eastern and Western Regions, Lagos and the Southern Cameroons, and by adult male suffrage in the Northern Regions.

The Governor-General should appoint an *ad hoc* Delimitation Commission to make recommendations for the division of the Federation into 320 single-member electoral districts.³ He should also appoint a permanent Electoral Commission to supervise the preparation of the Federal Electoral Register and the conduct of all Federal elections.⁴

A Committee of the Conference which, under the chairmanship of the Governor-General, had been considering electoral arrangements, will reassemble in Lagos to continue its work.

Division of functions between the federal and regional governments

The Conference agreed to recommend a small number of changes in the present Legislative Lists as between the Federal and Regional Governments.

On police the Conference agreed as follows:—

- (a) no police force in Nigeria should, so far as its use and operational control are concerned, at any time come under the control of political parties;
- (b) it was recognised that the Federal and Regional Governments would always have a concurrent responsibility for law and order and that after independence the

³ Lord Merthyr, formerly chairman of the Malayan Constituency Delineation Committee and deputy speaker of the House of Lords, was appointed to lead this commission; he arrived in Nigeria in Oct 1957.

⁴ R E Wraith was appointed to lead the Federal Electoral Commission.

ultimate responsibility for this, at present vested in the Secretary of State, would be inherited by the Federal Government. It would therefore always be necessary to have a Federal police force to discharge the Federal Government's responsibility throughout Nigeria;

(c) the conference took note of the professional view that the Nigeria Police could not for administrative reasons be regionalised during the next three years, but agreed that during the transitional period every effort should be made to strengthen the contingents of the Nigeria Police stationed in the Regions, so that they could become the nucleus of Regional forces;

(d) before his constitutional responsibilities for Nigeria came to an end the Secretary of State, after consultation with all the Nigerian Governments, should reach a decision whether or not Regional Governments should set up their own forces. In the meantime Police should be transferred from the Exclusive Federal to the Concurrent Legislative List but with the proviso that no Region should legislate to establish a Regional force unless the Secretary of State, after consultation with all the Nigerian Governments, decided that Regions should set up their own forces.

Fiscal Commission

It was agreed that the Secretary of State should appoint a Fiscal Commission to review the present system of allocation of revenues. Detailed terms of reference were decided upon.⁵

The Cameroons

The Secretary of State made the following statement about the future position of the Trust Territory when Nigeria becomes independent:—

'Her Majesty's Government fully recognise their obligations to the Cameroons under the Trusteeship Agreement.

One of these obligations has been and is to administer the territory as an integral part of Nigeria. This has of course been on the assumption that Nigeria was a dependent territory. When Nigeria becomes an independent country, this arrangement will no longer be possible so the Trusteeship Agreement will in any case have to be reviewed at that stage.

When Nigeria becomes independent one possibility would be that the Cameroons should remain part of it. This would involve the termination of the Trusteeship Agreement and would require consultation with the United Nations. I can state quite categorically that there can be no question of obliging the Cameroons to remain part of an independent Nigeria contrary to her own wishes.

Before Nigeria becomes independent the people of the North and South sectors of the Cameroons would have to say freely what their wishes were as to their own future. Among the options open to them would be to continue under the Trust Administration of the United Kingdom. I must in fairness add the warning that you would not thereby be given the golden key to the Bank of England! But many of the best friends of the Cameroons do not foresee a

⁵ Sir J Raisman was appointed in Sept 1957 to undertake this commission.

destiny more likely to promote her happiness and prosperity than in continued association with Nigeria.

Her Majesty's Government will of course pay the very greatest regard to their views, whatever form they may take.'

The delegate from the Northern Cameroons reaffirmed the decision taken by the Northern Cameroons in 1953 to remain part of the Northern Region.

Constitutional advances were agreed upon for the Southern Cameroons, including an enlarged House of Assembly, the establishment of a House of Chiefs for consultative purposes, an unofficial majority in Executive Council, the introduction of Ministerial responsibility, and the creation of the office of Premier.

The question of independence for the Federation of Nigeria

At the beginning of the Conference the three Regional Premiers and the Leader of Government Business in the Southern Cameroons submitted a memorandum containing joint proposals that the United Kingdom Government should undertake to grant independence to the Federation of Nigeria in 1959.

The Secretary of State explained that before this request could be usefully discussed, a number of other important questions must first be dealt with, including such matters as the future structure of the Federation and the allocation of revenues.

The Conference accordingly first proceeded to deal with the various problems about which agreement was reached as recorded above.

Discussion and agreement on these and other matters enabled the Secretary of State to give further consideration to the question of self-government for Nigeria, and at the nineteenth Plenary Session on 23rd June he made the following statement:—

'I understand that it is proposed that some time about January, 1960, the new Nigerian Parliament will debate a resolution asking Her Majesty's Government to agree to full self-government within the Commonwealth by a date in 1960 which will have been mentioned in the resolution. In any case the constitutional machinery would take time and you would no doubt bear this very much in mind in coming to a conclusion as to what date you should ask for. It might therefore be (as many of you have urged) a good thing for there to be some informal consultation with us as to what sort of date was realistic. On receipt of your resolution Her Majesty's Government will consider it with sympathy and will then be prepared to fix a date when they would accede to the request. We could not at this stage give any undertaking that the date would be the same date as asked for in the resolution, though we would do our utmost to meet the resolution in a reasonable and practicable manner. Delegates I hope know Her Majesty's Government well enough to be sure that they would not invent reasons for artificially extending the date. Her Majesty's Government would of course be very much guided in their choice of a date by the way everything was going, by how the two Regions now about to enjoy Regional self-government had taken the strain of this great step forward, and by how the country as a whole had faced up to the problems of minorities, on which a Commission would already have reported.'

There was a general discussion of this statement in the course of which a variety of views were expressed. On the following day the Sardauna of Sokoto made the

following statement on behalf of himself, of the other Regional Premiers, Dr. Nnamdi Azikiwe and Chief Obafemi Awolowo, and of Dr. Endeley, the Leader of Government Business in the Southern Cameroons:—

‘We have given further consideration to the Secretary of State’s statement on the independence of the Federation of Nigeria. We feel bound to express our disappointment that it has not been possible for Her Majesty’s Government to give an undertaking to grant independence to Nigeria on a date to be named in 1960 by the new Nigerian Parliament.

The year 1959 has been unanimously proposed by the people of Nigeria, and we have given consideration to a date in 1960 only because we appreciate that the solution to the various problems that must be disposed of before independence will take longer time than we had thought.

Having gone thus far on the path of reason and realism, we had thought that the Secretary of State would accede to our united wishes.

In the circumstances we can do no more than to take note of the Secretary of State’s statement, while reserving to ourselves the right to pursue the issue further with a view to impressing upon Her Majesty’s Government the necessity for granting independence to the Federation of Nigeria not later than 2nd April, 1960.’

The Secretary of State said in reply that he took careful note of this joint statement, as he had taken most careful note of the various views that had been expressed on the previous day on the acceptability of his statement.

Resumed conference

It was agreed that there should be a resumed Conference to deal with the reports of the Commissions which it had been decided to set up and with certain other matters left over by agreement from the present Conference.⁶

Special List of H.M.O.C.S.

Opportunity was taken of the presence in London of representatives of the Nigerian Governments at the Constitutional Conference to conclude the negotiation of the Special List Agreements envisaged in Cmd. 9768.⁷ Under these Agreements, which were signed on the 25th June, members of H.M.O.C.S. in the service of the Nigerian Governments will be given the opportunity to enter the service of Her Majesty’s Government in the United Kingdom. Officers who do so will continue to be employed in Nigeria on secondment to one of the Nigerian Governments so long as their services are required. The Agreements provide safeguards regarding their subsequent employment outside Nigeria, their salaries and conditions of service and the payment of their pensions and other benefits.

⁶ This included the future of the Central Marketing Board. A committee under Robertson, comprising representatives of the Nigerian governments, considered this in early Nov and decided to recommend winding up the Board while continuing its functions through a marketing company based in Lagos, with representatives of the existing regional marketing boards as directors. These recommendations were approved at the ad hoc conference held in Lagos in Feb 1958.

⁷ BDEEP series A, vol 3, D Goldworthy ed, *The conservative government and the end of empire 1951–1957* part II, 242.

410 CO 554/2122, no 19

31 Aug 1957

**[Office of prime minister]: letter from Sir J Robertson to M G Smith
on the appointment of Alhaji Abubakar Tafawa Balewa as the first
prime minister of Nigeria**

[Following Robertson's invitation, Tafawa Balewa formed a national unity government with members from all three main parties, together with one representative of the KNC.]

You will be wondering how our Cabinet making got on in the end, so this is a continuation of my two previous letters. I saw Alhaji Abubakar on Thursday and had another talk with him. He told me that the N.C.N.C. had been extremely difficult indeed. They were very opposed to him bringing the Action Group into his Cabinet and, in the end, he had to say to them that if they didn't like it they knew what they could do about it! I asked whether he thought they would refuse to take portfolios in his Government and he said he thought they were merely making a fuss but that in the end they would accept. It proved true. He also told me that they had been very difficult about portfolios, Mbadiwe especially. He had demanded the Ministry of Trade and Industry, and when Abubakar spoke to Njoku about this, Njoku burst into tears and asked what he had done to deserve being moved. Abubakar also said that Mbadiwe wanted Trade and Industry, because some of his relatives had been unable to get applications for licences passed under Njoku and that he had great hopes that if he were the Minister he could do something to help his relatives. Njoku has now been moved and Mbadiwe is being given the portfolio. Whether this is for the National good or not remains to be seen, but I am a little disappointed as Njoku has done fairly well. I am also told that Kola Balogun is very upset as he had hoped to get a more important Ministry, and he is alleged to have broken down and sobbed. All these tales may, of course, be quite untrue.

Alhaji¹ came and saw me yesterday morning at 9 a.m. and I formally asked him if he would be Prime Minister. He said he would, and I then asked him to go away and to come back when he was ready to tell me who his Ministers were to be. He then gave me the list and we went through it together. He has, in the end, decided to take Finance himself, and I hope that this will not prove too heavy a burden.² I think it will mean a great deal of work. At 12 o'clock he came back and we went through the portfolios and then through all the lists of the various departments and duties to see that we had got it all right and at that point we put out a notice giving the names of the new Cabinet. This morning's papers seem to take it fairly well, although the N.C.N.C. obviously have grave doubts about the feasibility of working with Action Groupers and if this fear is translated into deeds, I am sure we shall have some pretty sticky times in Council meetings.

I am holding a Council tomorrow morning, when I shall swear-in the Ministers and we will do some routine work about the business of the House of Representatives, which is due to meet on Monday. I don't think there is any more to tell you at the moment, but I shall continue to send any information which may come my way. We were grateful to receive the telegram of congratulations to the Prime Minister from the Secretary of State very promptly. Thank you very much for arranging it.

¹ ie Alhaji Abubakar Tafawa Balewa. He undertook the *hajj* (pilgrimage) shortly after returning from the London conference.

² Chief Festus Okotie-Eboh was appointed minister of finance later in Sept.

411 DO 35/9344

11 Oct 1957

[Diplomatic service]: minute by M E Allen¹ on possible Nigerian representation in Ghana

The attached copy of a letter from the Governor-General of Nigeria to Sir I. MacLennan² reached me from the Colonial Office this morning.³ I now hear that Sir J. Macpherson would like to discuss it with Sir G. Laithwaite when the latter calls on him this afternoon at 3.45.

This proposal is, of course, connected with the discussions which we have been having with the Colonial Office about channels of communication between the Nigerian Government and that of Ghana, but could, I think, be dealt with, at any rate at the present stage, in isolation.

The proposal is ostensibly that two Nigerian officers should be attached to Sir Ian MacLennan's staff in Accra. But Nigerian Ministers undoubtedly wish to have their own channel of diplomatic communication with the Ghana Government in order to ensure that their views can be presented directly to the Ghana authorities without having to be channelled through London.

It seems to me that there are great objections to this proposal. In the first place, so long as the U.K. Government are responsible for Nigeria's external relations it is impossible for us to allow instructions to be sent direct to Accra from Lagos on politically difficult subjects. Secondly, one can see the greatest embarrassment arising to Sir Ian MacLennan from the kind of crossing of wires between Lagos, London and Accra that could occur, not to mention the possibility of indiscreet action by his Nigerian officers. Third, the Ghana Government would be in a position to press strongly for permission being given them to open an office in Lagos; and although this may be a desirable development in the long run, I understand that the Colonial Office would not look with favour on Ghana representation in Nigeria at the present moment.

I believe, therefore, that this proposal should be resisted. We should, however, be prepared to say to Nigeria that if circumstances should arise in which the Nigerian Government should wish their views to be conveyed forcibly to the Ghana Government we should be able to instruct Sir Ian MacLennan to convey them, and that we recognise that the interests of the United Kingdom—which might demand the use of the velvet glove with the Ghana Government—would not necessarily over-ride those of Nigeria, which might demand a more forthright attitude.

I also understand that Sir I. MacLennan is visiting Lagos in about a week's time. It is therefore important that we and the Colonial Office should be able to send reactions to the Governor-General's letter in time for Sir I. MacLennan and Sir J. Robertson to discuss it during the visit.

¹ Assistant sec, CRO, 1956–1960.

² I M R MacLennan, UK high commissioner to Ghana, 1957–1959.

³ Not printed.

412 CO 554/1843, no 3 22 Oct 1957
 [Political situation]: despatch no 34 from Sir R Stapledon to Mr
 Lennox-Boyd reviewing the political situation in the Eastern Region
 [Extract]

I have the honour to address you on the subject of the Eastern Region of the Federation of Nigeria. Following upon an undertaking given by Her Majesty's Government in 1953 and the Nigeria Constitutional Conference held in London in May and June 1957, this Region is now embarking upon full self-government in respect of all matters within the competence of the Regional Government.

2. The last despatch^(a) in this series was written by Sir Clem Pleass twelve months ago. At that time allegations of improper conduct on the part of Dr. Nnamdi Azikiwe, Premier of the Eastern Region, in connection with the affairs of the African Continental Bank Limited were being enquired into by the Tribunal which you appointed. Sir Clem, whose resignation had been accepted earlier in the year, but who stayed on throughout the sittings of the Tribunal, left in November 1956. I succeeded him in December.

3. The Report of the Tribunal was published in January 1957. Though couched in terms of understatement and attributing to Dr. Azikiwe the high motive of liberalising credit for his people, the report was so unequivocally condemnatory of his conduct as a Minister as to leave him 'in the dock' and his party on the defensive. To assert his virtue Dr. Azikiwe agreed to surrender his own shares in the African Continental Bank. To boost up their morale before the Constitutional Conference the party, the National Council of Nigeria and the Cameroons (N.C.N.C.), went to the country and were returned with a substantial, but diminished, majority.¹ They no less made a poor showing at the Constitutional Conference and they remain on the defensive in relation to the Action Group (A.G.) Party led by Chief Awolowo, the Premier of the Western Region, which was the party which had reduced the N.C.N.C. majority at the Eastern Region General Election in March. The A.G., which is more dependent on the support of 'haves' and less on that of 'have nots' than the N.C.N.C., has thus replaced the imperial power as the force against which the N.C.N.C. calls upon its followers to unite.^(b)

4. The lack of unity and discipline in the N.C.N.C., which has recently been much in evidence, is the expression of a complex of jealousies and fears. Dr. Azikiwe derives his power from his 'mystique' personal popularity with the Southern (that is Eastern and Western) 'have not' man and woman in the street and from his control of the party Press. He has at present no dangerous rival within the party but neither has he any reliable lieutenant. There is, apparently invariably, a deep personal enmity between Dr.^(c) Azikiwe and his prominent colleagues. The significant examples at the present time are his relationships with Dr.^(d) Mbadiwe, Leader of the N.C.N.C. team

^(a) Colonial Office Print of 14th November, 1956.

^(b) The term 'imperialist' is now quaintly reserved for Irish priests. Chief Awolowo is a 'rabid' nationalist.

^(c) Doctorate conferred on him by the University of Lincoln [Pennsylvania].

^(d) Honorary Doctorate conferred on him by the University of Lincoln.

¹ See 389.

in the Federal Council of Ministers,^(e) and Dr.^(f) Okpara, Leader of Government Business and Senior Minister after the Premier in the N.C.N.C. Regional 'Cabinet.'

5. Below these two cleavages, partisan alignments of both Federal and Regional Ministers are uneasy and unstable. Equally unstable and more obscure are the intrigues and manoeuvres within the party outside the Government where the hotheads and a potentially militant wing (the Zikist National Vanguard—Z.N.V.) make the running while the moderates are content to look on save when some local issue directly touches them.

6. Never far below the surface are tribal jealousies and distrusts, which are transcended only, and only on the personal plane, by Dr. Azikiwe's popularity. Tribal distinctions, as a factor militating against collective government, are no less significant in the Eastern Region than in the Federal sphere. As an Onitsha Ibo Dr. Azikiwe's instinct must necessarily be just as much against giving his confidence to an Owerri Ibo (Dr. Okpara) or to an Aro (Dr. Mbadiwe) as to a Yoruba (Mr. Adelabu, Leader of the N.C.N.C. in the West). these jealousies and distrusts, notwithstanding that they are widely seen and understood, are so deep-seated that they will continue to rock the party boat with losses overboard. So far as can at present be seen the boat will continue to survive the periodic storms and successive party conventions as long as Dr. Azikiwe himself is at the helm, but it seems unlikely that it can be kept from breaking up once he is gone.

7. Concerning the tactics of the N.C.N.C. in the Regional field, its political faith has been, first and foremost, 'jobs for the boys,' and it is difficult to see how it can ever rid itself of this canker. In so far as the more responsible elements in the party have come to recognise the damaging effect on their own political fortunes they see the remedy as an extension of the system to provide for every supporter of any significance and even, in the form of a *douceur* as opposed to a reward, for their opponents. (They have recently introduced the refinement that no supporter shall have more than one job, whether the office be governmental or party.) After the election the reinforced Opposition chose a young newcomer as their leader in preference to Dr. Azikiwe's accuser before the Tribunal. The newcomer was promptly rewarded with an increase in his salary as Leader of the Opposition. There is now afoot a scheme to give greater scope to Local Government bodies which is being hurriedly prepared as a counter-attraction to the Minorities Commission and it may be that it will be made more attractive to some of the minorities by promises of sinecures.

8. While bureaucratic susceptibilities must be distressed by all this, it is possible for a locally-trained bureaucrat to see that it commends itself to public opinion as a projection, under present-day conditions, of the ancient tribal concept, which was the cornerstone of Ibo custom, of participation by shares of the whole community in

(^e) The Federal Council of Ministers, as reconstituted after the June Constitutional Conference, is still presided over by the Governor-General, but can be viewed as a coalition 'Cabinet' with the following Party composition:—

N.C.N.C. (National Council of Nigeria and the Cameroons)	6
N.P.C. (Northern Peoples' Congress)	4 (including the Prime Minister)
A.G. (Action Group)	2
K.N.C. (Kamerun National Congress)	1

(^f) Doctor of Medicine, Yaba, Lagos.

all forms of wealth not accruing to the individual by his sole effort. It is perhaps significant that there is some private condemnation by his followers of Dr. Azikiwe's conduct as revealed by the Tribunal. It was not that he in effect helped himself to public funds, since his right to a lion's share was beyond question, but that he had been so secretive about it.

9. As to the N.C.N.C. tactics in the Federal sphere, the Governor-General is probably better informed than I. From this vantage point it is not apparent that there is any plan unless it be to woo with fair words the N.P.C. as the majority party in the North, while no less openly concerting with minority parties how to undermine the N.P.C.'s hold on the areas in which it is weakest. The N.C.N.C. is, of course, still in the process of digesting the reverses which it has suffered over the past twelve months. The annual convention which it is about to hold could culminate in a consensus of influential party opinion on the party's chances of winning the 1959 Federal Elections under Dr. Azikiwe's leadership. But, whatever the party backers may think of his prospects of becoming the first Prime Minister of an independent Nigeria, the fact must remain that they can put forward no acceptable alternative leader. It must also be remembered that the N.C.N.C. has been the most genuinely 'Federal' of all the Nigerian parties. With three-quarters of a million Ibos earning their livings outside the Region there is no reason at present to suppose that it will not remain so.

10. I will not attempt here to describe in any detail the performance of the N.C.N.C. as a Regional Government. The introduction and initial collection of a graduated income tax, however hit and miss, is an achievement of which any Government might in the circumstances be proud (though I shall have to revert to this matter when discussing the Public Service). But these and all other beginnings such as universal primary education have been accompanied by too many lightly-given promises which cannot be fulfilled, and by too obvious a waste of money on impracticable schemes and plain rackets. At the time of writing there are no less than five statutory corporations, both social and economic, under investigations ordered by the Government. Apart from the economic corporations, whose performance is uniformly deplorable, the emphasis has been far too much on social and far too little on economic services. This extravagance has hitherto been financed partly by running down the reserves and partly by neglecting maintenance. The Government has, I am glad to say, been brought to the realisation of the fix it is in but I fear that it could not, even if it would, do more than wait for something to turn up or for the day when retrenchment is the only course open to it, whichever first occurs. It might be better if the Fiscal Commission on the reallocation of revenue and the Shell B.P. Exploration Company⁽⁶⁾ were not potential 'somethings,' especially as on the most optimistic forecasts the former cannot be expected to pay a large enough or the latter an early enough dividend.

11. The economic strength of the Region is not a matter on which it is safe to generalise. Although the Region is small in area it has 8 million people under widely differing conditions of soil, communications and pressure of population. During and

⁽⁶⁾ Published figures of expenditure by the Shell B.P. Exploration Company on exploration mainly in the Eastern Region are:—

						£
Actual to 1956	...	...	...	...	...	15,000,000
Estimated for 1957	...	...	...	...	...	10,000,000
Estimated for 1958	...	...	...	...	...	10,000,000 plus

since the war the overcrowded Ibo areas, where road, rail and waterway communications are relatively good, have enjoyed a notable increase in prosperity, mainly through the earnings outside the Region of their young and middle-aged men whose educational advantages and business acumen have enabled them to secure for themselves a significant share of the economies of the other parts of Nigeria and its adjacent territories. The evidence of this prosperity is more conspicuous in the less populous and more advanced West (Onitsha) and less conspicuous in the more populous and relatively backward South-East (Aba). The growth of Port Harcourt, 40 miles by road and rail from Aba, is already being stimulated by the certain prospect of the expansion of its increasingly productive hinterland and the less certain but more apparent prospect of a petroleum oil industry. Also adjacent to Aba is the thickly populated Efik and Ibibio (*i.e.*, non-Ibo) country which is entirely dependent on its oil palms. Thus Aba, famed for its riots in 1930, remains a potential storm centre. The relatively under-populated and more fertile eastern end of the Region which is drained by the Cross River, and into the north-eastern corner of which Ibos extend in considerable number, has enjoyed a lesser war-time and post-war prosperity based on its cash crops of palm oil and cocoa for export and yams for consumption in the Onitsha/Aba/Calabar population belt. Given stable produce prices there is substantial scope in this area for agricultural expansion on a plantation basis. There are already over 60,000 acres, developed or under development, of oil palm, rubber, cocoa, bananas and tobacco plantations. The majority is private enterprise by the United Africa Company, Limited, the Dunlop Rubber Company and a Danish company. The remainder, including 12,000 acres of rubber, 9,000 acres of oil palm and 800 acres of cocoa, is controlled inefficiently by a statutory corporation.

12. The Government's own efforts to establish secondary industries are unimpressive, apart from the Federal Government's 100,000 tons per annum Cement Factory now coming into production on the line north of Enugu. More impressive are the private enterprise consumer goods factories. Private investment in Aba and Port Harcourt on cigarette, soap and beer totals £3 millions over the past two years. There seems every reason to suppose that, if the Government would mind its own business and refrain from actions likely to repel foreign investment, further developments of this nature, *e.g.*, tyres and tubes, would follow quite naturally.

13. It has been generally assumed that the advent of Regional self-government would be followed by the withdrawal from the Public Service of considerable numbers of overseas officers: the event is confirming this prediction. In the case of the Administration, the branch of the Service most conscious of and most affected by constitutional changes, it is now certain that over 25 per cent. of the overseas officers will have left the country by January 1958, and probable that by the end of that year 60 per cent. will have departed.

14. The plain fact is that the majority of overseas officers, while reluctant to leave a country to which they have given their services and often their affection for many years and while genuinely concerned at the effect which their withdrawal may produce, are not prepared to prostitute themselves in the service of a Government which they know to be both incompetent and corrupt. They fear that conditions of work, as opposed to conditions of service, will rapidly become impossible, save for those content to serve from the most mercenary motives, under Ministers no longer restrained by the Governor's reserved powers or by his control of the Service.

15. The effect of the withdrawal of the majority of overseas officers (which will

unfortunately include almost all the more experienced among them) cannot fail to be adverse. The question, which at this stage is not easy to answer, is: how adverse? Already the Public Service is barely capable of keeping the machinery of government in working order; and the increasing burdens which will be imposed on that machinery by grandiose and unrealistic ministerial plans may well produce a breakdown. It is probable, for instance, that the tax yield of the Regional Finance Law (dependent almost entirely on the Administration for its operation) will be significantly reduced in the current financial year. When one considers the prospects for 1957–58 it is difficult to see how at least a partial breakdown is to be avoided.

16. Another probable consequence is that the inadequacy of competent staff will make more difficult the implementation of the findings of the Commissions (Minorities, Fiscal, Delimitation) established following the London Conference. The conduct of the Federal Elections in 1959 will perhaps provide the crucial test.

17. The concern at the possible shape of things to come which is felt by many overseas officers is, not unnaturally, shared by responsible Nigerians; but any objective assessment of public opinion in the Region must inevitably reach the conclusion that such persons are comparatively few in numbers and lamentably deficient in influence. They are, in fact, confined to a small minority of professional men and civil servants who are understandably inhibited from the overt expression of their views. Eastern Nigeria is their home and, well or ill-governed, most of them must continue to live there: in these circumstances it is no more than common prudence to refrain from open denunciation of those whom they expect in the not distant future to assume the untrammelled control of their destiny. . . .

413 CO 554/1691, no 7

24 Oct 1957

[Aid]: letter from Sir H Poynton to Sir J Robertson on the inability of the British government to meet Nigerian requests for external finance

[The issue of British financial aid to Nigeria took on prominence in CO deliberations in late 1957, with growing pressure from the Nigerian government for external loans to finance development projects. Finding such finance was difficult in this period and the impact of this on Nigerian plans was, as Macpherson recognised, serious: 'This is very nasty medicine for Nigeria to swallow. . . . It is tragic that defence cuts and our inability to help colonial territories financially should give the appearance of a failing leader of an Empire. But the worst service we could do for the Colonies would be to let the £ sterling collapse . . .' (CO 554/1691, Macpherson minute of 22 Oct 1957). Not least of the CO concerns in this period was the issue of the (self-governing) regional governments having access to external sources of finance.]

I promised that on my return to London I would make a point of trying to deal as a matter of urgency with the requests from Nigeria for external finance. I have now been able to discuss this within the Colonial Office both with the financial and with the political departments involved, but I am afraid I am still not able to let you have any definite news. The problem is proving a very intractable one and I thought therefore that I ought to let you have an interim letter giving you pretty fully the background as we see it here. I would like to start by assuring you that all of us on both sides of the office are fully alive to the political issues involved and would very much like to be able to respond in a generous way to Nigeria's various requests. We do very much appreciate the fact that relations between Nigeria and this country

have so far run very smoothly without the sort of troubles that we have had in such places as Kenya, Malaya or Cyprus (though I must point out the distinction between Kenya and the other two territories mentioned. I refer later in this letter to the special circumstances of Malaya; but the troubles in Cyprus stem from external circumstances), and for this reason if for no other, would like to do the most we can (though on a strict test of need I am not sure that there are not other places whose claims are even more pressing than Nigeria). But, with the best will in the world, we do find ourselves in very considerable difficulty.

2. Since the end of the Constitutional Conference we have received from the Federal Government a number of requests for financial assistance which amount in all to a sum considerably over £30m. and which in some cases relate to the period after independence as well as to the period before it. We are still in the process of examining these requests in detail, but it is already all too clear to us that in the economic and financial circumstances in which the United Kingdom now finds itself—we are in fact facing one of the most severe financial crises that we have experienced since the end of the war—the replies we shall have to return will frankly be extremely disappointing. Much as we all regret it, I am afraid that is quite inescapable. The problem we must face, then, is how to put the hard facts across to Nigerian Ministers in a way which will do the least possible harm, both now and in the future, to relations between Nigeria and the United Kingdom. As I see it, there are two elements in this: first to convince them that we at this end really are doing our best to help them, and secondly to get them to understand, and if possible sympathise with, the reasons which make it impossible for us to do more than we can in fact do.

3. The main purpose of this letter is, then, to describe the background against which we are having to consider these various requests, and to enlist your help and that of your officials in trying to impress upon your Ministers the factors which limit us at this end. So far as we cannot clear up everything before January, let us see how we get on at the Loans Advisory Board Meeting; and if then it seems that it would be useful for the Prime Minister and Minister of Finance to come over here and have talks with Colonial Office and Treasury Ministers rather than try to settle any outstanding points by correspondence, we should of course be happy to arrange this.

4. It may be convenient if in the first place I list the requests which we have received. They are as follows:—

- (i) Despatch No. 1064 of 17th July asking the U.K. Government to provide by Exchequer loans any difference between the total external loan requirements of the Federal and Regional Governments between now and the 31st March, 1960 (assessed by Nigeria as amounting to £26.35 million) and the amount which the Federation might prove able to raise on the Market. We have now just received despatch No. 1740 of 10th October which is in effect a reminder to this.
- (ii) Despatch No. 1188 of the 29th July asking for an additional £988,700 of C.D. & W. money to complete the (Federal) Victoria–Bamenda Road in the Southern Cameroons.
- (iii) Despatch No. 1211 of 2nd August asking for aid towards the cost of the Nigerian Military Forces from the financial year 1958/59 until 1962/63 or possibly 1963/64.
- (iv) Despatch No. 1428 of 4th September asking for aid in financing the Southern

Cameroons until such time as the final recommendations of the Fiscal Commission are forthcoming.

(v) Savingram No. 1533 of 20th September asking about the prospects of further assistance from C.D. & W. funds for capital works arising out of the constitutional reorganisation.

In addition, Sir Sydney Phillipson wrote to us on the 12th September in his capacity as Chairman of the University College and the CAST Councils, asking for an additional £2 million of C.D. & W. money for the two Colleges during the period up to 31st March, 1960.

5. *Assistance after independence.* The first major point with which I wish to deal concerns the question of financial assistance after Nigerian independence. This issue arises in connection with the Federal Government's request for assistance towards the cost of the Nigerian Military Forces, in which it is envisaged that U.K. aid should continue after independence. In this context you will remember that the Secretary of State referred at the Constitutional Conference only to the possibility of continuing aid in the interim period before independence. The best expression of United Kingdom policy in this regard is contained in the White Paper (Cmnd. 237) entitled 'The United Kingdom's Role in Commonwealth Development', which was published in July of this year. I enclose a copy.¹ In this White Paper it is made clear that in the U.K. view newly independent Commonwealth territories must be expected to stand on their own credit and that any direct government to government assistance could only be envisaged in exceptional circumstances. One such case is of course the Federation of Malaya which is to continue to receive U.K. financial assistance for some years to come, and to which indeed you have referred in your despatch on the subject of the Nigerian Military Forces. But I am afraid the 'Malayan analogy' is not valid for Nigeria. Our official reply to your despatch will set out in full the reasons for treating Malaya on an exceptional basis so far as financial aid for its Armed Forces after independence is concerned; but, briefly, they derive from that country's continuing military commitment to fight armed communist insurrection. The continued prosecution of the war against the terrorists in Malaya and the expansion of the Federation's Armed Forces are both vital common needs in the world-wide struggle against communism. Put rather crudely, Malaya has a hot war, but Nigeria has not. At the moment, I feel doubtful whether, when Nigeria becomes independent, it would be possible to point to any exceptional circumstances justifying direct government to government assistance in the light of the policy laid down in the White Paper mentioned above. I do think it is important therefore that you and your officials should do everything you can to indoctrinate your Ministers in the view that an independent Nigeria should from the outset be prepared to stand on her own feet financially instead of looking to the United Kingdom for direct government to government financial assistance after independence, as distinct from the technical assistance schemes which are a normal part of our relations with a number of independent Commonwealth countries.

¹ Not printed. On aid questions generally in the period up to Nigeria's independence in 1960 and beyond, see R Hyam & Wm R Louis eds, BDEEP series A, vol 4, *The Conservative government and the end of empire 1957-1964* part II, 327-353.

6. *Period before independence.* I realise that it would have made your task easier were it possible for us to adopt a forthcoming attitude in respect of the period up to the achievement of independence. But, as I have said, I think it is best for me to tell you frankly at this stage that I can see remarkably little prospect of our being able to go any appreciable way towards meeting the majority of the Federal Government's wishes. The present financial position of the United Kingdom, which unfortunately may take some time to mend, allows remarkably little room for manoeuvre. Public measures already announced to deal with the present financial crisis in the United Kingdom include the limitation of public investment, which was planned to increase substantially during the next two years, to the level reached this year; the stabilisation of the average level of bank advances during the next 12 months at the level for the past 12 months; the raising of the bank rate from 5 to 7%; and a directive to the Capital Issues Committee to take a much more restrictive and critical attitude towards applications to borrow and in particular towards applications for large amounts. In addition Ministers have decided that the level of government civil expenditure must be held to the level reached in the current year, although this decision has not yet been publicly announced. This last measure is an absolutely vital part of the fight against inflation, and it is of course the one which has most direct bearing on the problems you have put to us. These are stern measures indeed, and it would be idle to pretend that they are not going to hurt. They will. But it is vitally important that they be carried through if we are to achieve a balanced and stable economy in the United Kingdom and be able to maintain sterling as a worthwhile international trading currency. You will see that we thus have very little room for manoeuvre or flexibility in our present financial and economic policies. It is our hope that your Ministers can be brought to understand the seriousness of the U.K. situation, the determination of H.M.G. to put matters right, and the part which your Ministers themselves can play in helping H.M.G. and the Sterling Area as a whole to maintain its strength and viability in the world. It may be difficult if not impossible to persuade them to abandon requests they have already made but at the least we hope it will be possible for you to bring them to accept with good grace the reasons for turning down those of their requests which we have to; to persuade them not to renew such requests after they have been turned down; and to encourage them to moderate their requests in those cases where further negotiation is clearly necessary.

7. This is inevitably a lengthy letter, and I did not want to add to its length by elaborating on the salient facts of the present situation which are summarised in the preceding paragraph. But we are compiling a more detailed memorandum for you which may help you in putting these points over with your Ministers, and will let you have it as soon as possible.

8. I would now like to deal with some of the detailed requests themselves, after these general background and policy considerations.

9. *Nigerian Military Forces.* In respect of the Nigerian Military Forces it seems inevitable that our line in negotiation will have to be that we must seek now a substantial reduction in the amount of U.K. financial assistance and that any negotiations we may have with your Government will have to proceed on that basis. It seems likely that we shall also have to say that although we cannot enter into specific commitments after 1958/59 any assistance which might be given after that year could only be on a rapidly diminishing basis and that full responsibility for the cost of the Forces should be assumed by the date of independence. There seems no

reason why the recommendations of the Fiscal Commission should not have been agreed and put into effect by 31st March, 1960 and accordingly there would at present appear to be no grounds for envisaging continued United Kingdom aid after that date. It may not be expedient to inform Nigerian Ministers of our thinking on this particular point at this juncture, when they will be receiving some necessarily unwelcome replies from us to their various requests for financial aid. It is in any case not strictly necessary to make the point now. Probably it can best be made at the resumed Conference in the context of the general discussion about the Fiscal Commission's report. We are, however, anxious that you should know how we are thinking so that, in the period between now and the resumed Conference, you can avoid giving your Ministers any impression that United Kingdom aid to the Military Forces will definitely be forthcoming up to the last moment before independence.

10. *Southern Cameroons.* We have of course every intention of implementing our commitment to consider financial assistance but as the Secretary of State said at the Conference we can only consider this matter in the light of the Fiscal Commission's report. You will shortly be receiving our official reply to your despatch No. 1428 of the 4th September and your savingram No. 1533 of the 20th September in which we make these points. There is however one point which we have not mentioned in our official reply but of which we would wish you and your official advisers to be aware. This concerns the method by which Federal assistance has been given to the Southern Cameroons under the present constitution. I think it must be recognised that the system of financing the Southern Cameroons by way of loans rather than grants is not a realistic one. There can be no prospect of the Southern Cameroons being able to repay those loans in any foreseeable future, and the accumulation of interest payments only aggravates the acute financial difficulties of the territory. We do not think that U.K. financial assistance could be given if there were any question of the Southern Cameroons being left with the burden of repaying those outstanding loans and interest, and we think that we should have to press for the conversion of all past loans into grants and the waiving of interest requirements before we could consider financial assistance. Though we are not taking this point in the official correspondence at this stage we are bound to have to make it sooner or later, possibly at the resumed Conference; but anything you can do meanwhile to prepare the ground with your Ministers in this sense would be most helpful.

11. *External Loan Requirements.* As I think you know already (though this is extremely secret, and not in any circumstances for your Ministers' ears), we were hoping this summer that we might be able to devise special arrangements which would enable us to assist Colonial Governments who cannot meet their needs on the London Market. I am afraid that we have had to abandon our attempts in this direction for the time being, in the light of our general financial situation; this necessarily conditions the reply we shall have to send to your despatch. In any event, there is a lot more detailed work to be done here before I think we can be satisfied that we have established beyond reasonable doubt the exact amount of external loans which Nigeria is likely to require and the times at which particular loans will be needed. As you know, our Finance people have already had one look at your figures and they are now going through them again in the light of subsequent information. There appears to be every chance that this re-assessment may show that in the near future there should not be a requirement for a London loan. This is frankly all to the good as our present advice is that it would be 'increasingly difficult' for Nigeria to raise a loan on the London Market,

because of the relative imminence of Nigerian independence and also because of the repercussions of recent events in Ghana. I do not think I can be more explicit in this letter than that, because until we have established the exact amount and timing of Nigeria's needs it is difficult if not impossible to work out what part the U.K. might conceivably play. It is however quite clear that in our present economic and financial circumstances anything we might possibly be able to devise would have to be very substantially less than the provision of £26m. which has been suggested. At present therefore we are hardly likely to be able to return a substantive reply to the request for external loan assistance though we are examining whether, despite our Parliamentary difficulties over 'finance-house' business on the part of the C.D.C., we might not be able to sanction a loan by the C.D.C. for the Port Harcourt Scheme. (I don't think we could possibly stretch it to the E.C.N. as well). Subject to that, I think we shall have to propose that the essential basic facts should be further studied at the meeting of the Loans Advisory Board early next year.

12. *C.D. & W.* Finally there are one or two things I should like to say about C.D.W. funds. We now have a *very* small Inner Reserve left which is already smaller than the total of the demands which seem likely to be made upon it. There is therefore, I regret, very little chance of our being able to meet substantial demands for additional C.D.W. funds. Indeed at this stage I could not hope to give you even an indication of what further funds might be forthcoming for Nigeria. We have already had to tell Phillipson that although his requests were received too late to be taken into account in the recent review of the C.D.W. Reserve, even had they been received earlier it is very unlikely that additional funds would have been forthcoming, having regard to the extremely limited amount which was available for distribution. There now remains unallocated only £425,000 in the Higher Education Allocation and only about £343,000 in the Higher Technical Education Allocation. It is for the Inter-University Council and the Council for Overseas Colleges of Arts, Science and Technology to recommend the allocation of their remaining funds. We have accordingly suggested to Phillipson that he should present his case as forcibly as possible to the I.U.C. and to C.O.C.A.S.T. in the hope of obtaining a proportion of these remaining balances. The possibility of the Higher Education and the Higher Technical Education Allocations receiving in due course a part of the Inner Reserve of C.D.W. funds is not in any way prejudged, but at the very best only a small amount could be made available since the Inner Reserve is, as already indicated, extremely small and many other deserving demands are being made on it.

13. We are particularly sorry that we cannot do more to assist the University College and the College of Arts, Science and Technology with their commendable and much-needed plans for development, but we frankly do not see how we could stretch any further the amount of C.D.W. funds at present remaining for allocation.

14. I have written at this length about our difficulties so that you might have a full picture of the situation as it appears to us. I know you will appreciate that it is not pleasant for us to have to take the general line I have described and that could we have seen any other course open to us we would have taken it. The basic difficulty is that we have so little room for manoeuvres of any kind and that the extent to which we can yield points (and funds) to achieve a compromise in negotiation is peculiarly restricted. In these circumstances we must, as I have said, rely on you and your officers to impress on your Ministers the harsh facts of the present financial climate, and also to bring them to realise that their desire for the early independence of their

country is incompatible with a desire for continued financial assistance on a steadily increasing scale.

414 CO 554/1732, no 15

7 Nov 1957

[Public service]: minute by M G Smith expressing concerns about a possible collapse of the public service in the Northern Region

Mr. Eastwood

We agreed the other day that there would be advantage in discussing with Sir G. Bell¹ before he left the position of the Public Service in the Northern Region, which is one of the major stumbling blocks in the path of the early independence of Nigeria. You suggested that there would be advantage in providing Sir G. Bell with some notes of the present position before we had our discussion with him.

We have unfortunately the minimum of information in the Office about the staffing of the Northern Region Public Service. Broadly the position is that interest in the Northern Region in Western Education is of very recent origin, so that there is only a handful of Northern students in this country pursuing advanced studies and an even smaller handful of Northern students at University College, Ibadan. Secondary education is almost as backward and over large areas the Northern Region is only just beginning to emerge from the era in which a minimum number of children had almost to be conscripted for school from each district at the behest of the District Officer. This means that virtually without exception the senior posts in the Northern Region are held by overseas officers and it will be many years before there is a prospect of any proportion of these posts being effectively Northernised.

This position is in sharp contrast with the Southern Regions. There most of the senior posts are still in the hands of overseas officers but the annual output of children from the secondary schools with some sort of G.C.E. qualification is now numbered by the thousand. Schemes for universal primary education are in operation with a fair degree of success in both Regions, and there is an annual output of graduates from institutions in this country and Ibadan of several hundred. We have thus reached a stage in the South at which reasonably qualified officers can provide the full annual intake for the Administrative Service and an increasing proportion of the annual intake for the other branches of the Senior Service, while in the Western Region they are able to contemplate competition for the annual vacancies in the Administrative Service on something like U.K. lines.

Northern leaders have allowed themselves to become aware of this serious position only so recently that it will be a generation at least before they could catch up with their Southern neighbours. Their first reaction to this, set out in a declaration of policy of the 29th September, 1955, has been to establish a bar to the employment of Southerners by providing that in recruiting for the senior posts which require post-secondary or university education the P.S.C. must consider candidates in the following order of precedence:—

- (i) Northerners
- (ii) Expatriates
- (iii) Non-Northern Nigerians who will be offered only contract appointments.

¹ Sir G Bell became governor of the Northern Region in Nov 1957.

There is a similar provision for junior posts that a non-Northern Nigerian or African from outside Nigeria appointed (as a last resort) to these posts are to be given only contract appointment.

I think they have begun to take more positive steps to improve the position and in Secret and Personal savingram 29 of the 25th August, 1955. Sir Bryan Sharwood-Smith said that 'As regards Northernisation a bold and imaginative plan to provide with a five-year period a full complement of trained Northern junior staff is under way. This will involve the immediate construction using Arcon structures of four training centres each for a group of three provinces. The first classes are to start in February, 1956, and the output is expected to be 200 a year from the second year.' Sir Bryan also recorded in his 'chatty' despatch of the 14th March, 1957, that nine Northern Administrative Officers had been appointed in the previous few months and had mostly got off to a good start.

It is obvious that in circumstances such as these the withdrawal of any substantial proportion of the present cadre of overseas officers in the North would be likely to lead to what we have long talked about in connection with the East—a breakdown in the administration of the Region. The Northern Ministers are pledged to ask for Regional self-government in 1959 and this probably means that they will ask for it for 1959 at the resumed Conference to be held in about a year's time, so that it would come into effect perhaps early in 1959 (it would be only logical to do this if they still contemplate asking for independence early in 1960). This will mean that in perhaps 18 months overseas officers in the North will have a chance to leave with lump sum compensation and, unless their feelings are then quite different from the feelings of overseas officers in the Gold Coast, Malaya and the Eastern and Western Regions in the last year or two, a good proportion of them will go. The North will not have Southerners to replace them and there are no Northerners to replace them, so that it would seem that only the most urgent action over the next year or so and a change in outlook of the Northern Ministers can save the North from the breakup of Government as we have established it there once the Region becomes self-governing.

It may be that we here are to blame in not having brought this problem more frequently and more forcefully to the attention of Sir Bryan Sharwood-Smith, but whether or not that is the case we have now to face the fact that we are committed to granting Regional self-government in 1959 and we shall certainly be under pressure to agree to independence in 1960. The Secretary of State cannot agree to the granting of Regional self-government in 1959 with any confidence when he knows its first results are likely to be a sufficient exodus of overseas officers to lead to a breakdown in administration, and still less can he contemplate recommending to his colleagues independence for Nigeria in 1960 with the largest Region in the country tending to break-up. It seems to me that, whether or not we have held our hands unduly in the past, we must now put forcefully and repeatedly to Northern Ministers the dilemma in which they stand. There is no easy way out of it. It may well be that the special training institutions mentioned by Sir Bryan Sharwood-Smith can be strengthened and expanded; that is a local problem to be looked at locally, although it might be possible to provide some help from the Whitehall training establishments such as has been given in the past I think both to the Gold Coast and to the Federation. But the major problem must be the retention for some years of the bulk of the existing overseas officers in the Northern Region. I realise that the Special List discussions have been aimed at precisely the solution to this problem but it seems

generally agreed that in the form in which it has finally emerged the Special List will at best be only a palliative and no solution. I cannot hope to sketch out easy watertight solutions where so many have failed, but I should like to suggest as a cockshy that we might consider whether there could usefully be a full-scale examination of the extent of the Northern need for overseas officers in all branches of the Service for the next, say, 10 years, such as Mr. Adu conducted for the Gold Coast Government before the lump sum compensation settlement there was reached, that Northern Ministers might be invited to accept and endorse the conclusions of such a study and as a consequence to agree (before Regional self-government) to the offer immediately following Regional self-government of long term contracts with suitably favourable terms to all officers whom the study showed it needed to retain for the next decade. However the purpose of this minute is not to argue for any particular solution but to set out a problem for discussion and the beginning of action which is likely to require much delicate handling for the next year or so.

I should add that the difficulty of handling such a problem is of course much greater in the North than it would be in either of the Southern Regions because the North speak on such questions with two voices. In discussion with the Governor or the Secretary of State Northern Ministers and Northern Emirs will subscribe to the most correct doctrine of the full development of a Northern Public Service and of the retention of the existing overseas officers until an indigenous Service can be trained to the standards established by overseas officers. But it is, to say the least, very doubtful whether this represents the view of the ruling party in the North, the N.P.C. This party is the creation of the feudal hierarchy in the North and it draws its strength from the simple fact that at the elections all the influence of that hierarchy is exerted on the peasantry to ensure the election of candidates acceptable to the hierarchy. The Northern Emirs could not prevent the British from establishing their little Westminster in Kaduna but the Emirs have succeeded in staffing it, with the notable exception of Abubakar, mainly with their own nominees. It is little more than 50 years since the Emirs were in power in the North and the indications are that, while the weaker Emirs may fear the departure of the British which may lead to the crumbling of their thrones of clay, the stronger Emirs, and notably the Emir of Kano, look forward to it as the opportunity to re-assert the rule they relinquished a half century back to force of arms. It is probable that the main reason why the Northern leaders decided to press for self-government in 1959 and independence in 1960 was not just to keep up with the Joneses in the South but because of the shrewd calculation of the Emirs that the British plan to replace their overlordship in the North with a democratic Ministerial system may well collapse if the British withdraw quickly and may build up strength to maintain itself if the British stay rather longer. The real feelings of the N.P.C., therefore, may be opposed to drastic measures to build up the Northern Public Service or to retain the existing overseas officers since the stronger Emirs probably look for a breakdown after independence and expect to resume administration by the N.A. system which they know. In pressing for improvements in the Northern Public Service we may, therefore, find that Northern Ministers pay lip service to the idea but show little practical enthusiasm or willingness to find the money.

I am sending a copy of this minute to Sir G. Bell. I am also sending a copy of the minute to Mr. Harding.

415 CO 554/1794, no 28

[Nov 1957]

'Requests for financial aid from Nigeria': CO memorandum [Extract]... 7. *External loan requirements*(a) *Nigerian proposals*

Discussions of the Nigerian development programmes in 1955 and 1956 threw up a possible maximum external loan requirement of £26.35 m. in the period ending 31st March, 1960, out of an estimated total development expenditure over the period 1955/60 of £195.8 m. This figure of £26.35 m. was the total external loan requirement from all sources and Nigeria hoped to obtain some £12 m. also of this amount from the C.D.C.: but since these would be straight loans we would run up against the 'finance-house' difficulty, and right from the start we warned Nigeria that, because of our policy on C.D.C. 'finance-house' loans, we might well have to turn the applications down. We have also put forward an application to the International Bank for a loan towards the cost of the Bornu Railway Extension project. If, as we have some reason to hope, that loan materialises, our best present guess is that about £3m might be available by 1960.

Nigeria have asked H.M.G. for an assurance that they will be able to count on obtaining loan finance of up to £26.35 m. in the period up to 1960, i.e. that if the C.D.C. are not allowed to make straight loans, and the International Bank are not willing to lend, and Nigeria cannot meet their needs on the London Market, H.M.G. will make the money available in the form of an exchequer loan or loans.

(b) *Colonial Office comments*

These loan proposals are the crux of this whole question of Nigeria finance. They have to be considered not only in the context of the United Kingdom's continuing financial and economic difficulties but also in the context of the final discharge of the United Kingdom's responsibilities in Nigeria. Nigeria is likely to become independent within the next three to four years. The Nigerian Governments wish to continue the Commonwealth connection and we shall want them to do so. Nigerian external trade is worth between £250 million and £300 million per annum (of which about one half is with the U.K.). The main exports are cocoa, groundnuts, palm oil, cotton, hides, timber, tin and rubber, and there now seems to be a fair prospect of oil in commercial quantities in the Eastern Region. An oilfield of any size there would be in a strategically protected position and in a sterling area country might make a useful contribution to the United Kingdom balance of payments. There can be no doubt that all Nigeria's economic interests are best met by continued membership of the sterling area and that as far as we can foresee it will continue to be in the U.K. interest as well. Nigeria will in fact continue to depend to a large extent on London as a financial centre. The limitations of the London market are well known but Nigeria can expect to enjoy the right of access to it on proof of need and this right is undoubtedly of considerable value in the long run despite its restricted worth in the immediate future. We cannot escape our responsibility for helping Nigeria in present circumstances and it is unthinkable that we should take the line that we are unable to provide facilities for loans which in themselves are not unreasonable as a proportion of the total Development Programmes of much the largest dependent territory. The Federal Government has not come on to the London loan market for some years. Nigeria wanted to raise a London loan of £5 million in 1955, and could

probably have done so at that time. But she could not then demonstrate any need for a loan, and we had therefore to turn her application down. She could well feel aggrieved if, when in 1958/59 the need for a loan can no longer be put off, she is then told that the financial circumstances of the United Kingdom and approaching independence make this impossible.

We must therefore clearly be prepared to provide from the Exchequer some measure of assistance to Nigeria towards her development plans, if this proves to be necessary. When our proposals for a system of Exchequer loans to the Colonies to supplement the product of the London Market were considered by Ministers earlier this year, it was decided not to proceed with those proposals for the time being, but it was agreed that in specific cases of real need we could give *ad hoc* assurances to the Colonial Government concerned that by one means or another we would see that they obtained the necessary loan finance for the execution of their agreed development plans. So far we have given such assurance only to Uganda and British Guiana; but at the time when it was agreed to adopt for the time being this *ad hoc* approach the Secretary of State warned the Chancellor that we would probably need to do something for Nigeria.

It would be unrealistic to approach the Chancellor with a proposal that H.M.G. should agree to underwrite an external loan requirement for Nigeria in the period up to 1960 of £26.35 m. (i.e. the figure in respect of which Nigeria have sought such an assurance). This is for two reasons: first, because in the U.K.'s present financial circumstances the Chancellor would obviously not be prepared to contemplate an undertaking of this magnitude; second, because we ourselves no longer regard this figure as realistic.

We have been doing a lot of work on the financial side of the Nigerian development programmes since we received the formal request referred to above, and our conclusion (which we shall need to discuss in detail with the Nigerian financial authorities) is that, on a realistic assessment, Nigeria's external loan requirement is likely to be substantially less than the original estimate of £26.35 m. The picture as we now see it may be briefly summarised as follows:

- (a) Total development expenditure in the *three* years 1957/60 is now estimated at £150.5 m. But it would be quite reasonable to allow a gap for 'slippage': experience everywhere shows this to be a reasonable assumption, and the Nigerian financial officers have agreed in correspondence that we may allow a gap of about 10%. On this basis the estimate of total development expenditure may be reduced to £135.5 m.
- (b) The total loan element is assessed at £28.25 m. (excluding loans from the Marketing Boards). Of this, Nigeria expects to be able to raise £18.5 m. locally. This leaves an external loan requirement of only £9.75 m.
- (c) Of the total of £9.75 m., £¾ m. is required for the Cameroons Development Corporation. The C.D.C. are considering participation in the Cameroons Development Corporation. The form being considered for such participation would not come in the 'finance-house' category, and we have given the C.D.C. every encouragement. It seems safe to assume that the £¾ m. will be forthcoming from the C.D.C. If we get £3 m. from the International Bank for the Bornu Extension, the net London Market requirement would only be about £6 m.

We must emphasise that these figures are still subject to detailed examination and discussion with the Nigerian authorities, though we do not think they are very wide

of the mark. One other reservation that must be made is that they do not allow for the cost of establishing a separate Nigerian currency, which will be necessary if Nigeria decides to proceed with the establishment of a Central Bank, as we hope they will on the lines recommended in the Loynes Report. Mr. Loynes himself estimates the cost of establishing a separate Nigerian currency at 'over £5 m.' Mr. Carlyle (Permanent Secretary to the Federal Ministry of Finance) puts it at about £7.5 m. We cannot yet be sure what the true figure will be. But an important factor is when the expenditure on a separate Nigerian currency would be likely to have to be incurred. This will depend largely on the timing of the Federal Government's decisions on the Loynes Report, on the time taken to settle designs for the new notes and coins, and on the time taken to produce the new notes and coins. It may well be that not all the expenditure involved would fall to be met before 1960. It might be that the expenditure could be met by increasing the fiduciary element in the existing currency in Nigeria above the 20% now planned (e.g. by increasing it to 30%). Whether this will be possible will depend largely on the views of the Treasury and Bank of England. If it is considered a suitable method, the cost of providing the new currency could be fitted in without increasing Nigeria's external loan requirements in the period up to 1960: otherwise it will probably increase that figure.

In the light of the foregoing we must obviously first of all establish, as a result of further consultation with Nigeria, what their real external loan requirement is likely to be. The opportunity for that will be presented by the meeting of the Nigerian Loans Advisory Board in Lagos in January, at which Nigeria are anxious that the Colonial Office should be represented. Following that meeting it is proposed that there should be further consultations between H.M.G. and the Federal Government at a meeting in London to which, we suggest, we should invite the Federal Prime Minister and the Federal Minister of Finance, to decide what might be done to meet Nigeria's needs for external finance—i.e. at which we would indicate what help H.M.G. would be able to give, e.g. in the form of Exchequer loans. . . .

416 CO 554/2128

11 Dec 1957

[Political situation]: minute by B L Barder¹ on approaching difficulties in the Eastern Region

M. Watt (through Mr M.G. Smith)

The approaching crisis in the Eastern Region contains three main factors:

- (i) The nearness of bankruptcy. (Please see Mr. Vile's immediately preceding minute.) The latest Intelligence Summary from the Region drew attention to the recent Memorandum on Regional Finances in relation to universal primary education, presented to the Executive Council in the course of last month. According to the report, this was the first occasion on which the Regional Government had been brought face to face with the realities of the situation; if they go ahead with their present programme, they will have no balance in hand for the new financial year, and their plans for 1958/9 will leave them with a gap of

¹ B L Barder, military service, 1952–1954; CO, 1957; private secretary to permanent under-secretary, CO, 1960–1961; principal, 1962; HM diplomatic service, 1965–1994, including HM high commissioner to Nigeria, 1988–1991.

nearly £5m. As a result of the memorandum, they have made tentative plans to reduce the cost of the free education scheme, and assume as a government no further responsibility for the erection of school buildings. The Government is also said to be considering a compulsory savings scheme for civil servants.

(ii) Administrative inefficiency and corruption. According to the Intelligence Reports, neither the Minister of Education nor the Minister of Finance was present at the Executive Council meeting which considered the memorandum on regional finances in relation to universal primary education. Zik himself is infrequently in the regional capital, and spends most of his time on sick or vacation leave; he plans to send the Minister of Finance on three months leave when he returns from the United Kingdom—which means he will be away during the preparation of the 1958/9 budget. House of Assembly meetings are short and trivial; and it is expected that as many as 50% of the expatriate Civil Servants in the Region will have left by this time next year. The Government has just rejected two reports by Commissions enquiring into bribery and corruption in the Region, and will publish neither. The Regional Public Corporation are losing money by a combination of fantasy, inefficiency, and corruption.

(iii) The personality of Zik. In the Western Region the relationship between Awolowo and Sir J. Rankine is sufficiently good for informal advice to continue after Regional self-government and for informal consultations to take place on matters where it is not constitutionally required. One gets the impression that already this is not the case in the Eastern Region, and that Zik is determined to go his own way.

2. As Mr. Vile has said in his minute above (paragraph 4), this is clearly the time for a letter to go to the Governor from here, covering the whole question of what looks like the impending crash in the Region, and inviting him to have a very frank talk with Zik. I understand that Mr. M.G. Smith also proposes to write to the Governor-General, inviting him to discuss the affairs of the Eastern Region frankly and fully with Abubakar, both in order to warn him of possible storms ahead, and also to encourage him to think in terms of a Federal Government at the centre responsible in the long run for the affairs of the Regions, whether self-governing or not. If Zik is summoned to a meeting with the Governor to discuss at length the conduct of affairs by his government, his attitude is fairly certain to be that the Eastern Region is now self-governing, that the Governor is in the position of a constitutional monarch, (which he will say is that of a 'rubber stamp') and that as Premier he is under no obligation to listen to or take advice.

3. We should like, therefore, to be able to put to the Governor when we write any points he could use in answering such a case from Zik. If possible it would be well to give him chapter and verse to quote, along the line that the constitutional monarch has a duty to the governed to give advice when there is an approaching crisis, and that this is such a time. This reply might have two parts:

(i) The Region, though self-governing in its internal affairs, is not yet fully independent, and both the Governor and the Secretary of State retain responsibility in the last resort for the good government of the Region. This is, I think, unanswerable.

(ii) It is in any case a mistake to think that the constitutional monarch is precluded from giving advice to the political leaders Mr. M.G. Smith has drawn

attention to the part played by the King in the crisis of 1931 and the foundation by Ramsey Macdonald of a National Government. More recently it was for a long time held that George VI was responsible for the allocation of portfolios between Mr. Dalton and Mr. Bevin when Mr. Attlee took office in 1945. This latter story has, however, been more or less discredited, and if it had been authenticated, it would undoubtedly have been controversial in the extreme. Moreover, a case of this sort would certainly suggest to Zik that Her Majesty's Government intended to continue to influence the conduct of affairs in Nigeria after independence through political pressure from the governor-General and Governors, and it would be very unfortunate indeed if such an impression were given by anything which we advise the Governor to say.

4. We should therefore be grateful for any ammunition you can provide in parallels or precedents, and chapter and verse for the constitutional niceties, so as to help the Governor to make the most forcible possible impression, however unpalatable, on Zik.

417 CO 554/1955, no 40 10 Feb 1958
 [Eastern Region riots]: letter from C G Eastwood to Sir J Macpherson
 on the political implications of the rioting in the Eastern Region
[Extract]

[In Feb 1958 rioting broke out in parts of the Eastern Region over the regional government's decision to re-impose school fees. In Jan 1957 the regional government had abolished such fees and established free primary education but the costs of this measure, together with broader financial problems for the region, led the government to reintroduce them. The rioting led to a number of deaths and the imposition of a state of emergency in parts of the region. Suggestions that the British government should make a grant to restore the region's finances were firmly rejected by the CO, with threats being made to refer the issue to the Federal Council of Ministers for action and once again, to delay the next constitutional conference (CO 554/2128, no 40, Macpherson to Stapledon 14 Jan 1958).]

I need not tell you that the situation in the East is exceedingly tricky.¹

2. The Government must have more money. When they try to get it by imposing certain fees for education, the people in Owerri and elsewhere refuse to pay them. They may well also refuse to pay other taxes. If that happens and the movement spreads, the Government will be thoroughly in the soup.

3. The first thing, of course, is to re-establish the authority of 'Government', which on Sunday was definitely at a low ebb in Owerri. The people who have to do that are, unfortunately, the Federal police backed up by the Governor and his Security Committee. Zik sits on this Committee and explicitly agreed that the Governor-

¹ Eastwood was writing from Buea during his visit to Nigeria and the Cameroons to attend the ad hoc Lagos conference held in Feb to consider issues left unresolved at the 1957 London conference (see 409). The ad hoc conference involved delegates from all regions including Awolowo and the Sardauna. Among the issues considered in Lagos was the recommendation to abolish the Central Marketing Board and the report of the committee chaired by Robertson to examine the Federal electoral law. This committee dealt largely with technical matters connected to elections but a major source of controversy concerned the AG proposals to allow southern women to stand for election in the Northern Region.

General should be asked to issue his emergency proclamation. Nevertheless, it is unfortunate that he and his Ministers who have full internal responsibility (subject to the federal caveat) are not responsible for clearing up the mess, but have law and order maintained for them by the agents of the Federal Government.

4. No doubt the Federal police will, sooner or later, succeed in re-establishing respect for law and order. This being so, it is possible that the present trouble will not bring about an immediate political crisis. But I rather doubt it. It is difficult to estimate how far popular opinion has swung against Zik in the East. One can easily be too optimistic about that; after the Bank Tribunal he was returned at a general election by a large majority. Nevertheless, decent people must be getting a bit fed up. And the Federation will be getting fed up too. They will not at all like pouring Federal police in at considerable expense to pull Zik's chestnuts out of the fire for him. And Zik must have more money, either by more taxation or education fees or cutting down of votes (none of which will be popular in the East) and/or (and probably 'and') by a loan from the Federation. Abubakar seems almost to welcome the idea of a Federal loan to the East, simply because they could impose pretty stiff terms as a condition of granting it. Those terms would no doubt entail a pretty thorough overhaul of Zik's ministries.

5. So, one way or another, I suspect we are brewing up for a real crisis. What will happen then? And what should be our policy?

6. Zik has, of course, a wonderful knack of muddling through, putting the blame on someone else, leaving him to carry the baby, and coming out on top himself. He may do it this time. He *might* succeed in making the expatriate civil servant the scapegoat, but it wouldn't be too easy to do that because there are so few of them. He might make the Governor the scapegoat, but that wouldn't be too easy either for he is a very wily bird. It seems quite on the cards, therefore, that he will not be able to wriggle out of the trouble.

7. I see no reason at all why we should put ourselves out to keep him in the saddle, though inevitably the intervention of the Federal police may unfortunately have that effect. But, if he goes, what then?

8. There is no visible alternative to him. I met all the Eastern Ministers except Zik (who was at Nsukka) and the Acting Minister for Education (the substantive man has had a nervous breakdown). I was less unfavourably impressed than I expected. I thought Emole, who is Acting Minister of Finance, intelligent and competent, but I am told he lacks guts. (Imoke, the substantive Minister is on three months' leave!). I thought the Minister of Agriculture, Nwoga, a decent chap and Nwodo, Minister of Commerce, not too bad. Okpara, the Minister of Production, I met in Lagos at the Conference.² He is certainly able and a good administrator, and I thought him rather more mellow and mature and suffering less from an inferiority complex than last year. But he has recently had to grovel to Zik, and so have Mbadiwe and Balogun, two of the N.C.N.C. Federal Ministers. Raymond Njoku, the other one, though nice, carries only a limited number of guns. Festus is not, of course, an Easterner.³ In short, I repeat there is no visible alternative to Zik among the Eastern politicians.

² Dr Michael Ibeonukara Okpara, premier of the Eastern Region 1959–1966. Eastwood is referring to the ad hoc Lagos conference held in Lagos.

³ Chief Festus Samuel Okotie-Eboh, Federal minister of labour 1955–57 and Federal minister of finance 1957–1966. Okotie-Eboh was born in Jakpa, near Warri, at this time in the Western Region but part of the Mid-Western Region created in 1963.

9. The *only* alternative that is visible, so it seems to me, is the Governor. In other words, we suspend the Constitution and substitute direct rule. I am not suggesting that, unless we are driven to it, we should take the initiative over this, but it seems to me that one of two things may happen. The Federation may ask for it—may indeed make it a condition of their loan. Or we may even be asked for it by the East itself. Zik might conceivably throw his hand in or do a bunk (Stapledon and Gunning discount the likelihood of his putting a pistol to his head) and the remaining Ministers, with a sigh of thankfulness, might ask us to get them out of their mess.

10. I am not sure that this is a particularly attractive idea (a) because it would impose a considerable practical, problem and (b) because it might have all sorts of unforeseeable repercussions. It would, I suppose, almost inevitably put paid to independence in 1960—and the more one sees of Nigeria and talks to people here, the more eminently desirable that seems to be: they can't *possibly* be ready for independence by 1960. But I suppose it might bust the Federation altogether. I have not really thought this one through.

11. As to the practical problem, Stapledon thought that he could manage somehow, particularly if direct rule came about with the good will of responsible Nigerians. He would have to be assisted by administrative staff from outside the Region—people borrowed from the Federation (who could, of course, ill spare them), people borrowed from the Colonial Office or elsewhere in the Colonial Service, people recently retired who have not yet found themselves jobs (and he tells me that few have—he mentioned Carter, Thwaites and I think Brackenbury as being unemployed at present). With such help he thought he might be able to struggle along somehow.

12. I did not tell Stapledon that I was going to write you this letter: indeed it was not until I started ruminating in the aeroplane coming here that I thought perhaps I had better. There is a lot of speculation in it and it may well be proved all wrong by the time it reaches you. There may have been some denouement [sic] to-day of which I do not know and something dramatic may happen when the Eastern house meets on Thursday. But I thought at least I should put my thoughts on record, since there is no doubt that the situation is serious and it may develop very quickly. . . .

418 CO 554/1718, no 56

27 Mar 1958

[Public service]: letter from Mr Lennox-Boyd to Mr Heathcoat Amory on the financing of the proposals contained in Sir J Martin's report.

Enclosure: CO note on 'Sir John Martin's proposals'

[Sir John Martin was sent by Lennox-Boyd to visit Nigeria in Jan and Feb 1958 to examine the reasons for the growing exodus of expatriate staff from the Eastern and Western Regions. It had been hoped, following the creation of HMOCS in 1954, and the 'Special List' in 1956 together with the lump sum compensation schemes that were to come into operation on the granting of regional self-government (see 366), that such measures would have persuaded expatriate staff to remain in post. However the lump sum compensation scheme had the unintended effect of encouraging staff to leave. Martin found problems of low morale behind this and estimated that around a quarter of expatriate staff in the Eastern and Western Regions were about to leave, with, he felt, a

very real possibility of administrative breakdown following. In his report, Martin suggested the creation of a 'Special List B' for expatriate staff which would bring such staff under the British government's wing, would provide extra allowances for children's education to keep staff in post and would offer employment elsewhere in the event of termination of service. His key recommendation was that HMG should guarantee the payment of lump sum compensation by Nigerian governments and that such compensation could be 'frozen' and taken at a later date, thus encouraging staff to stay on (CO 554/1718, no 4, report by Sir John Martin on visit to Nigeria, 17 Feb 1958). The problem however was to find funds for this, as this letter from Lennox-Boyd to Heathcoat Amory (chancellor of the Exchequer 1958-60), shows.]

Thank you very much indeed for listening to me so patiently today on the subject of Her Majesty's Overseas Civil Service. As I told you, I have been desperately anxious about the position for the last three years. There is in the Colonial field no matter of greater urgency or importance.

The main problem is in Nigeria. There is a very real danger that the administrative machine will come to a halt through the disappearance of the British staff. Already a quarter of those entitled to go in the Eastern and Western Regions have announced their intention of doing so. Almost every day brings news of further resignations. Their departure will not only mean administrative chaos, but will be a terrible reflection on our Colonial policy as a whole. The consequences on our trade may well be very considerable. All experience shows that if our officials are later replaced by others from Europe or elsewhere our export trade, which is worth something like £60 million a year, will be seriously jeopardised.

As I explained to you, our overseas officers are being lost for three main reasons, (a) political difficulties, (b) the attractions of lump sum compensation and (c) the inadequacy of the present emoluments.

Because of the increasingly alarming situation I asked Sir John Martin to go out to Nigeria and consult with the Governor-General and the three Governors. The Governor-General, as Chief Secretary of the Sudan, presided over that great service. He has seen it break up because of the actions of the Sudan Government. He is now seeing the break-up of another great service, when all the Nigerian Governments are intensely anxious that it should be preserved.

Martin, in consultation with the Governor-General and the three Governors, has worked out proposals to tackle the principal reasons why we are losing the overseas officers. Your people have been extremely understanding and co-operative. They do not, however, like the element of 'topping up' in Martin's proposals. They asked us if we could not find some other way of meeting our difficulties without creating this awkward precedent. My fear is that, just as earlier on when we were considering the Special List, etc. we failed to make the necessary dramatic impact on the Service as a whole in time, so we may now be in danger of repeating the same mistake again.

The alternative scheme that we sketched out, without being committed to it, to help to meet the Treasury difficulty suffers from a number of grave faults which I feel sure will prevent it doing the trick. Briefly these are:—

- (a) it is too complicated and lacks the simple direct appeal of the Martin plan;
- (b) it gives less help to the family man because there are no educational advantages. I regard this as a vital part of any scheme. In constant talks with innumerable officers serving in Nigeria I am convinced that this is one of their major anxieties;
- (c) it gives less direct help to older officers.

For all these and many other reasons, some of which I explained to you, I am intensely anxious that we should adopt the Martin scheme. I am, as you suggested, attaching to this personal letter an analysis of the proposals.

As I said to you, every day matters, and I should be more than grateful if you could find the time in the midst of all your other heavy preoccupations to look personally at this, far and away the gravest and most disturbing problem with which I have to deal.

Enclosure to 418

The expatriate Service in Nigeria numbered last autumn about 2,400 pensionable officers. Of these 860 were in the Federal Service, 1,030 in the Northern Regional Service, 287 in the Western Regional Service and 220 in the Eastern Regional Service.

2. With the introduction of self-government it is necessary to bring in lump sum compensation schemes for loss of career. This is an inescapable necessity both on precedent (similar schemes were introduced in India, Pakistan, Sudan and Ghana) and in recognition of the fact that control over the conditions under which officers serve passes from the Secretary of State into local hands.

3. Compensation schemes came into operation in the Eastern and Western Regions last autumn when those Regions became self-governing, and about one quarter of the pensionable overseas officers have already left or given notice to go. Similar schemes will come into force in the Northern Region in the spring of 1959 on the attainment of self-government and in the Federal Service in 1960 if, as is likely, Nigeria as a whole then becomes independent.

4. The departure of so many experienced officers from the Eastern and Western Regions has already led to acute staffing difficulties. A breakdown in administration can scarcely be avoided unless means are found to retain sufficient expatriates during the next six or seven years while sufficient Africans are trained up to take their place.

5. The problem in the Northern Region will be even more serious. The North is extremely backward in education and the overwhelming majority of senior posts are held by expatriates. There are 164 expatriate medical officers, but only 5 qualified Northerners; 240 overseas pensionable administrative officers and only 21 Northerners. The withdrawal of expatriates in proportions comparable with the present exodus in the Eastern and Western Regions will lead to a collapse of the governmental machine, administrative and technical.

6. As regards the Federal Service, this includes services such as the Police and Posts and Telegraphs which are of special importance to the stability of Nigeria as a whole: and any large and immediate exodus on independence would gravely affect the efficiency and stability of the Federal Government at a moment when an independent Nigeria is starting to find its feet in the world.

7. The reasons why officers are leaving are (1) political difficulties; (2) the attractions of lump sum compensation; (3) inadequacy of present emoluments. Sir John Martin does not assign an order between these reasons but regards them all as important.

8. By political difficulties is meant the difficulties resulting from the transfer of power to African Ministers, e.g. the frustrations of working under inexperienced Ministers; the threat to traditional standards of integrity in the Public Service, fears

of the effects of 'Nigarianisation' on future career prospects, and anxiety regarding the risk of default by Nigerian Governments on their commitments to pay compensation and pensions. Officers are apprehensive of being 'cut off' from the Secretary of State, and placed at the mercy of local Ministers.

9. The lump sum compensation scheme offers a way of escape and is in itself an inducement to go. The lump sum entitlement rises from zero at age 25 to a possible maximum of £9,000 at age 40 to an officer with ten years' service. Thereafter, unless 'freezing' is allowed (as to which see later) the entitlement declines each year until it reaches zero at the normal age (55) of retirement. The lump sum may provide the means of meeting educational and family commitments which, whatever his personal feelings about leaving the Service, an officer may feel it his duty to his family to accept; and unless there is a system of advances it is only by resigning that an officer can realise his entitlement. In the prevailing uncertainty about career prospects in Nigeria and the contracting field of employment in the Overseas Service elsewhere, many officers feel the urge to start a new career outside the Service before it is too late. Once the point of maximum entitlement is passed (normally at age 40) there is an almost irresistible temptation to leave since as each year passes, the entitlement grows less. This, of course, affects the most experienced and valuable officers. The fear is also expressed that Nigerian Governments may later default in their compensation liabilities and that it is prudent to 'go while the going is good'.

10. The current emoluments of overseas officers in Nigeria are quite inadequate. They compare unfavourably with those in East and Central Africa which, because of their climatic, educational and other advantages have traditionally been lower than those in West Africa. At a time when special inducements are required to persuade people to remain in Nigeria, the Nigerian Governments are not paying the market price for their expatriates. Since the last salaries revision (which in itself for political reasons failed except in the Northern Service to give officers as much as the Salaries Commission recommended), the cost of living has risen by at least 12% and costs of education in the United Kingdom have risen too. The shoe pinches particularly hard on the family man with children to educate in the United Kingdom. There is no prospect whatever of the Nigerian Governments remedying this state of affairs. They consider with considerable justification that there is no case for raising African salaries even if they could afford it, and it is politically out of the question for them to discriminate in favour of expatriates.

11. The 'Special List' was designed as an inducement to stay but has failed in its purpose, partly because it did not (contrary to the expectations of the Service) offer any improvements in current emoluments, but principally because officers joining it have to surrender their right to retire at their option with lump sum compensation in return for assurances in which they lack confidence. They feel that if they join the Special List they will lose their freedom to escape from Nigeria even if conditions become intolerable and that they will not be able to rely on being offered equivalent appointments elsewhere although H.M.G. have undertaken that 'every endeavour will be made' to find them such appointments. The other side of the coin is, of course, that the United Kingdom Government will not be called upon to meet more than an insignificant fraction of the potentially large financial liability which it assumed under the Special List scheme.

12. Sir John Martin's recommendations are designed to slow down the rate of exodus by tackling these various problems. There is relatively little which can be

done to meet the 'political difficulties' but the proposal that all overseas pensionable officers should be offered transfer to a Special List of officers of Her Majesty's Overseas Civil Service in the service of H.M.G. and seconded from it to the service of the Nigerian Governments, without the disadvantages inherent in the present Special List scheme, but with the features that H.M.G. would accept responsibility for ensuring payment of the current emoluments of officers and for actually paying (subject to recovery) compensation and pensions and that disciplinary action against an officer would be subject to confirmation by the Secretary of State, would go far towards allaying the fear that officers were being 'cut off' from H.M.G. and left to the mercy of local Ministers. These commitments would, of course, be matched by undertakings by the Nigerian Governments to continue payment of existing emoluments and to refund all payments on account of compensation and pensions.

13. More materially the Martin proposals seek to minimise the inducement to leave under the compensation schemes by recommending that there should be longer periods of 'freezing' and that officers should be allowed advances on their compensation. 'Freezing' is the device under which the compensation entitlement of an officer who passes the peak age of 40 is held at its maximum point for a period of years and the officer is relieved of the anxiety of seeing his entitlement diminish year by year as he stays on. In the Western and Eastern Regions 'freezing' has been allowed up to three years in the case of certain officers but the adequacy of this arrangement requires review and in the case of the North it is recommended that the freezing period should be indefinitely long. But unless this arrangement is accompanied by a system of advances, it will still be necessary for an officer to leave in order to realise his entitlement for e.g. educational purposes. It is therefore recommended that advances should be allowed to the extent of three-quarters of the compensation entitlement. Such an arrangement has already been announced in the Eastern Region but it is clear that the difficulties of meeting the immediate cash requirements are a major stumbling block particularly in the Western and Northern Regions and that it would be necessary for H.M.G. to assist the Nigerian Governments by loans amounting to one half of the sum of the advances.

14. In order to remedy the inadequacy of current emoluments, it is proposed that H.M.G. should provide funds for the following additional benefits:—

- (a) Special inducement additions to all officers ranging from £180 to £300 per officer.
- (b) Allowances to officers with children which, with the children's allowances paid by the Nigerian Governments, would provide assistance towards the education of children on the Foreign Service scale.

15. It is estimated that the cost of these measures to H.M.G. would be:—

(1) Advances on compensation:—

1958/59	£600,000
1959/60	£1,400,000
1960/61	£1,100,000
	£3,100,000

Thereafter, while advances to officers who remain would increase, the total amount outstanding would be reduced since the additional advances would be more than

covered by the advances repaid as officers retired. The whole amount would eventually be recovered from Nigerian Governments.

Sir John Martin suggests that the loans from H.M.G. to the Nigerian Governments should be interest-free. The Colonial Office are prepared to agree, however, that they should be at a rate of interest at which the Nigerian Governments grant the advances to entitled officers. Any rate charged to officers higher than 3% would, however, considerably reduce the benefit of the concession.

(2) Inducement additions and children's allowances:—

1958/59	£670,000
1959/60	£570,000
1960/61	£495,000
1961/62	£450,000

Thereafter, an exact estimate is not possible but the cost will tail off to virtually nothing in ten years' time. Of the above totals, children's allowances represent about one-quarter to one-third.

16. The difficulties presented by the 'topping up' proposals are appreciated but it is considered that there is no alternative method by which the present inadequacy of emoluments can be remedied. It is not considered that the risk of further topping up becoming necessary in Nigeria is a serious one. The possibility of pressure arising in other dependent territories for comparable financial assistance cannot be denied but the issues at stake in Nigeria are so great that this risk would be justified. It would be made clear that the proposals are supported solely on account of the very special circumstances in Nigeria, and that there is no intention whatever of extending them to colonial territories generally or indeed to territories approaching self-government unless the particular circumstances of Nigeria should repeat themselves.

17. No recommendation is made in the Martin Report that H.M.G. should meet any of the additional cost of compensation due to the extension of the freezing period. Nigerian Governments can reasonably be expected to meet the additional cost involved by having a freezing period of three years. It would, however, provide a strong inducement to Nigerian Governments to introduce the very valuable inducement of long term freezing if H.M.G. were to agree to meet the cost of any extension of the freezing period over and above three years. The cost of an extension of the period from three years to fifteen years could be of the order of £1.5 million although in fact it would probably be considerably less. It is hoped that, although not included in the Martin recommendations, favourable consideration may be given to this very valuable device as a means, additional to the measures recommended by Sir John Martin, of tackling the Nigerian problem simultaneously on all fronts.

419 CO 554/1602

1 Apr 1958

[Constituency Delimitation Commission]: minute by M G Smith on
the conclusions of the Merthyr report [Extract]

[The Merthyr Commission reported in Mar 1958: *Constituency Delimitation Commission: Report 1958 (Lord Merthyr, Chairman)*. Its recommendations, by proposing that the Northern Region be allocated 174 out of 320 seats, gave that region a majority in the House of Representatives. The criticism of this was that the North's

allocation was based on population but that, since women did not have the vote in the region, distribution should have been based on size of electorate, giving the North a much reduced share of the seats.]

Below (127) is a copy of the Report of the Constituency Delimitation Commission which has just been submitted to the Governor-General, by whom the Commission was appointed.

As set out on pages 1 to 3 of the Report, the Commission was appointed on terms of reference agreed at the 1957 Nigeria Conference, to advise the Governor-General in his discretion on the division of Nigeria into 320 single member constituencies for the Federal House of Representatives.

The intention is that under legislation still to be passed these new constituencies will be the basis of the Federal elections due to be held late in 1959, to form the Federal Government and Legislature to ask for independence for Nigeria in 1960. The agreement of the 1957 Conference to the establishment of the Commission with these terms of reference was itself a remarkable advance in the concept of Nigerian unity. Under the 1954 constitution, representation in the Federal legislature did not take full account of distribution of population, but was deliberately weighted so that the North should have only 50% of the Federal seats, and the East and West equal numbers, although the Eastern population is larger than the West. The 1957 Conference abandoned these safeguards and accepted that representation in the next House of Representatives should be based solely on population.

The Commission, consisting of Lord Merthyr, Mr. Farley-Smith, a retired Administrative Officer from Nigeria, and Mr. Lees, a Principal Surveyor in the Federal Survey Department, left for Nigeria towards the end of last October, and finally came back in February. The Report has been compiled in this country since the Commission's return. The Governor-General will no doubt arrange for the early printing and publication of the Report.

Before it reached Nigeria, the Commission asked for local Regional Committees to be set up to advise it in its task. These Committees included representatives of the local political parties, so that a good bit of the Report is likely to represent agreed local recommendations. The Report itself is a very clear and balanced document, and whatever political reactions it may evoke in Nigeria, at least it will be very difficult to challenge it on the grounds that its authors have departed from their terms of reference, or have not made the most exhaustive and impartial enquiry before reaching the conclusions set out.

We have every reason to be grateful to Lord Merthyr and his colleagues for a very helpful and well-reasoned document.

The main difficulties encountered by the Commission are set out with clarity in the opening paragraphs of the Report, and do not require summary here. The following are paragraphs which particularly deserve attention:—

Paragraphs 7 and 8. The Commission was instructed to form 'electoral districts of approximately equal population'. It found that the last Census was conducted in 1952/53, and it decided that, rather than rely on the estimates of population made subsequent to that Census, it would base itself on the Census figures corrected for all parts of the country to July 1953 when the Census was concluded. The commission thus based itself on the population table shown on page 5 of the Report, i.e. on a population of 31½m., although the latest estimate of population is that by mid-1957, it had risen to almost 34m. I am not questioning the Commission's decision to use

the 1953 figures as the only certain basis, but I should think it likely, since these figures will already be very much out of date by elections late in 1959, that Nigerian opinion will be reluctant to agree to a pause of 5 years before a further delimitation, as was contemplated in paragraph 34(e) (ii) of the 1957 Conference Report.

Paragraphs 13, and 24 to 27. In settling electoral districts the Commission was also required to have regard to natural community of interest, and to existing Local Government or Native Authority areas, and also to provide for constituencies of approximately equal population. It was clear that these several requirements would often conflict. The Commission, after very careful consideration, and supported by much local evidence, concluded that divisional boundaries should, wherever possible, be observed, and since this would inevitably mean that Constituencies could not always be of approximately equal population, there should be an upper variation of not more than 50% of the average constituency population. This average was 98,622, so that the upper variation acceptable became 147,933. It was not possible to set a specific lower variation, since the requirement that no division at present separately represented should lose its representation, produced some very small constituencies, of which the smallest continues to be Kaduna, with a population of 42,137.

Paragraphs 22 and 23. These paragraphs are the nub of the Report. Having fixed the population of each Region, and having concluded that these gave an average population per constituency of 98,622, the Commission then divided up the 320 seats it had to allocate on the basis of this average per constituency among the three Regions, the Southern Cameroons, and Lagos. The result is in Table II on page 13.

The difference that this makes as compared with the present House of Representatives, is as follows

	<i>1954 Constitution</i>	<i>Merthyr Report</i>
Northern Region	92 Members	174 Members
Western Region	42 "	62 "
Eastern Region	42 "	73 "
Southern Cameroons	6 "	8 "
Lagos	2 "	3 "
Totals . . .	<u>184 Members</u>	<u>320 Members</u>

It is therefore clear that the North, if it can stay united, has every prospect of dominating the Federal Government for many years to come. It seems to me doubtful whether the 1957 Conference fully understood what it was doing in agreeing to representation on a population basis.

The fears which have dominated Nigerian politics for many years may now arise in new form. The North has been afraid of the slick educated Southerner. But the divided South, with bitter enmity between Ibo and Yoruba, may well wake up to greater fears of a Northern majority. There have been warnings of this recently in the Action Group Press, where leading members of the Action Group have declared that they will revive at the resumed Conference their demand that the North either gives votes to women, or accepts a division of constituencies based not on population but on electorate. We shall see whether anything is likely to come of this from the reception given to the Merthyr Report. The Governor-General is empowered to implement it in his discretion, but he will no doubt consult both his own Council of

Ministers, and the other Nigerian Governments, before he does so. This likelihood of a steady Northern majority must also cause Chief Awolowo and Dr. Azikiwe to pause before they leave the comparative safety of their Regional Governments for the doubtful fortune of the next Federal elections. But if the Federal Constitution does not attract able Southerners to the centre, it will not encourage the unity of Nigeria. Government by coalition at the centre will still be necessary for years to come. Some of the present Central Ministers drawn from all the parties are weak enough, but if those Ministers were drawn entirely from the N.P.C. as the majority party in new Federal elections, then the outlook would be poor indeed—there are just not enough competent Northerners for the job.

If, therefore, the Nigerian Governments are prepared to accept the division of seats among the Regions, which on the basis of its terms of reference the Merthyr Report has properly proposed, we should, of course, say and do nothing to impede the implementation of the Report. But if there are serious second thoughts in Nigeria about the wisdom of adhering to a simple population basis, I think we might well consider whether, for the future unity of the country, we might not be prepared to encourage some re-opening of this question.

There are a few smaller points which might be noted. Paragraph 47. There are now five Members from the Northern Cameroons in the House of Representatives; in future there will be seven—four from Adamawa, three from Bornu (Dikwa), and a part representation from a Benue constituency.

Table III on page 27. This Table of the division of Constitutencies in the North suggests that there should be few complaints from the Middle Belt areas. Ilorin Benue and Bauchi all receive the representation to which they seem to be entitled, but the Igbirra division in Kabba has been a little unlucky, in that its population is close to the maximum variation the Commission allowed.

There is no action we need to take with regard to Nigeria. With regard to the Commission, Lord Merthyr was invited to act as chairman by Sir John Macpherson on behalf of the Governor-General, but I imagine that the Secretary of State himself might wish to send a letter of thanks. I submit a draft for this purpose. . . .

420 CO 554/2126, no 40

11 Apr 1958

‘Note for the JIC about recent disturbances in the Western Region of Nigeria’: note by M G Smith

The leader of the Opposition in the Western Region of Nigeria was killed in a car accident in the Western Region on the 26th March.¹ Adelabu was a very determined and turbulent character and was very much the life and soul of his Party, the N.C.N.C. Opposition in the Region. He was the acknowledged master of the Regional Capital, Ibadan, where he was often able to make life unpleasant for the Regional Government. On several occasions he was prosecuted for assault and other violent actions, but each time he escaped through insufficiency of evidence or on a technical plea. His career as a Federal Minister ended in January 1956, when he was asked to resign after drunken conduct in the Council of Ministers.

¹ Alhaji Adegoke Adelabu. See 353.

Some of Adelabu's supporters genuinely suspected that his purely accidental death was due to foul play. Others saw it as an opportunity not to be missed to demonstrate against the Regional Government. The Western Regional Government has on the whole a record of steady and careful administration, but like other African Governments, it has been subject to many accusations of nepotism and corruption, and in the course of developing social services in the Region, particularly universal primary education, it has considerably increased local and regional taxation over the last few years. This increased taxation has proved most unpopular and in some areas taxation measures have over-reached themselves in that they have led to refusals to pay tax and general agitation against the Government. All these factors combined to bring about on Adelabu's death an explosion of discontent by the Opposition, which in areas around Ibadan led to some rioting, bloodshed and a small amount of looting. Special police measures had to be taken and on the 1st April a curfew was ordered in Ibadan itself. On several occasions the police had to open fire and the total of deaths from the riots has now risen to twenty. The riots had no proper leadership, programme or purpose and they fairly quickly died away. The curfew in Ibadan was revoked on the 4th April and at present all is quiet.

421 CO 554/1718, no 80

21 Apr 1958

[Public service]: letter (reply) from Mr Heathcoat Amory to Mr Lennox-Boyd suggesting amendments to the proposals contained in Sir J Martin's report

[By Mar the CO was considerably exercised by the exodus of staff from Nigeria. Macpherson stated that the government was 'faced with the possibility of a tragic crumbling of the Nigerian Public Service' (CO 554/1718, no 32, note of a meeting held in the CO . . . on 6 Mar 1958). In Apr the Treasury agreed to the establishment of Special List B and to fund the 'freezing' of lump sum compensation; it drew the line at funding any topping up of salaries through extra allowances, however. The scheme came under much criticism from Nigerian ministers and the public and both the Eastern and Western Region governments immediately demanded changes in it. However after minor modifications, Special List B was set up in Oct 1958.]

I am now in a position to reply to your letter of 27th March about the British officers in Nigeria.¹ I am sorry that I have not done so earlier.

First let me say that I was very glad to see in your letter the statement that all the Nigerian Governments are intensely anxious that the Service should be preserved. This should enable us to see that they play their full part in whatever arrangements are finally settled. I am sure you will accept the importance of this.

The main fault in the existing arrangements is, I am sure, that the compensation scheme is producing the opposite result to that which we desire. We want these people to stay in Nigeria, but we have offered terms of compensation which, far from encouraging them to remain, act as a positive incentive for them to leave if they have passed the mid-point of their career. This, plainly, is what is wrong and I think we should concentrate on putting it right. I am quite ready to see adjustments made in the compensation scheme which will make it serve, rather than frustrate, our policy of encouraging these men to continue their service in Nigeria. I can agree that we

¹ See 418.

should pay the cost of 'freezing' compensation indefinitely, and I am also ready to consider a generous scheme for advance payments—though I hope that we could arrange to spread the payments to the Nigerian Governments over a period so as to reduce the immediate load on the Exchequer.

I am however convinced that it would be a mistake to couple this with improvement of salaries and education allowances. I believe that we shall make a bigger impact on the members of the Service if we concentrate on removing the obvious flaws in the compensation arrangements and make a really generous settlement on that. We must not forget that, if this includes provision for advance payments, the individual will be getting immediate cash, as a capital sum free of tax, which he can use, if he wishes, to ease any current difficulties—e.g. over the education of his children. And it should not be difficult, as a matter of presentation, to make it plain that an immediate capital payment is more valuable, even for these purposes, than a relatively small increase in taxable salary.

Of course I also have it in mind that, if we began to supplement these people's salaries from the Exchequer, we should be establishing a precedent which would be as embarrassing for you as it would be for me. If we conceded this principle in Nigeria, which is one of the wealthier of our dependent territories, I do not see how we could resist the pressure which would certainly develop for its extension to territories which are much less able to pay their way. Before very long we should be drifting into the position of subsidising a primary cost of administration which ought, from every point of view, to be a responsibility of local governments. We should surely be failing in our duty to educate local governments in their responsibilities if we gave the impression that we were prepared to meet the cost of the less attractive forms of Government spending while leaving them to devote local resources to forms of expenditure which have greater local political appeal. In this your interest, surely, is the same as mine; and I need not therefore enlarge upon the further point that supplementation, or 'topping up' as our advisers call it, would have dangerous repercussions for me outside the sphere of your Colonial responsibilities.

On both grounds therefore—both because I believe that we shall get greater value for any given sum of money if we concentrate on remedying the major fault in the existing arrangements, and also because the supplementation of salaries is objectionable in principle—I must ask you to agree that we should deal with this situation by adjusting the compensation scheme. On that I am prepared to go a long way; and, if you will agree in principle that we should limit ourselves to that, the officials of our two Departments can be authorised at once to work out a plan which will make a real impact on the people in Nigeria.

422 DO 35/10443, no 531

8 May 1958

[Date of independence]: letter from Sir R Grey to C G Eastwood on Alhaji Abubakar Tafawa Balewa's statement on the date of independence

In Council today, Abubakar said that he hoped that it would be possible to declare the independence of the Federation on April 2nd, 1960, and that, after discussions with Sir James Robertson, he saw no reason why all the necessary planning, 'including,' as

he said, 'the Act granting independence', should not be completed in time if there were close co-operation with the Colonial Office. I know nothing of the discussions to which he referred and would doubt that the Governor-General had given him good reason to speak as he did. This was the first time that I had any notion that Abubakar was firmly planning on a date as early as April 2. I had thought that he, unlike some of his colleagues, was still content with the results that would follow from action along the lines of the Statement by the Secretary of State that is set out in paragraph 53 of the Report by the 1957 Conference (Cmnd. 207), namely, the introduction of Federal self-government with effect from a date in 1960 that was 'realistic' having regard to all the considerations there mentioned. Needless to say, there was full support from N.C.N.C. (Mbadiwe and Kola Balogun) and Action Group (Akintola) for Abubakar's statement. It was all the more impressive to me because it was made in a very matter-of-fact way, emphatically but without any heat or emotion. The context was the discussion of ways and means of building on Victoria Island, near to the proposed site of the Parliament Buildings, a 'first-class hotel', which, as all agreed, must be ready by the time of the 'independence celebrations'. I am sorry to say that the ubiquitous A.G. Leventis has secured the support of Ministers of all parties for the proposition that his company should build the hotel with substantial concessions from the Federal Government (allegedly to compensate the company for uneconomic expenditure on public rooms) by way of relief from import duties not only on building materials but on food and drink to be consumed in the hotel. The whole proposition smells and it is half-baked even if there is no valid reason for the smell; but, despite a private talk with Abubakar, I could do no more than get the proposal remitted to a committee of three officials for detailed examination. None of the Ministers would hear of attempts to interest other, and more experienced, hoteliers; 'there is no time—we must not delay'. I hope I may yet persuade them that they will not only get a better hotel but they will get it just as quickly if they go about it more sensibly; but it will not be easy.

However, I did not start off to tell you the story of the hotel but to put on record this determination of Abubakar to go for independence on April 2, 1960. A year ago all our planning was changed by his intervention and that of Ribadu in the celebrated debate in the House of Representatives that so unexpectedly swung the North in behind the drive for self-government in 1959; but even then he spoke equivocally and it was not certain that his will went with what he purported to ask for. Today there could be no doubt. In various other ways he made it clear that he is planning for April 2, 1960. For instance, he hopes to stall off demands for salaries revision, which he admits are justified, until after independence. Just why he is now so keen on April 2, 1960, I do not know; nor can anyone here tell me. But I have no doubt that before very long that date will acquire, if it has not already done so, the 'magical significance' that '1959' used to have. Whatever is moving Abubakar it is not his intellect. He clearly does not appreciate all that will have to be done; on the other hand, he clearly thinks that the twenty-two months left are a sufficiently short period to be able to hold the Public Service quiet without any improvement of salaries. There was general regret this morning that H.O. Ellis should be going off to East Africa for a pensionable salary £1,020 a year higher than his Nigerian salary; but there was reluctance to approve the arrangements for medium-term contracts on the ground that if the rewards of contract officers were improved the dissatisfaction of pensionable staff would be increased.

I am sending copies of this letter to Rankine, Bell and Gunning.

423 CO 968/668, no 13

13 May 1958

[Defence]: minute by A E Emanuel raising the possibility of a defence pact

[During 1958 the Chiefs of Staff reviewed defence requirements in West Africa, not least in the light of the fact that Nigeria took over control of its own forces, through the Nigerian Defence Council, on 1 Apr 1958. The review concluded that Britain's main need was for the provision of air staging rights for reinforcing British forces elsewhere in the world. Kano airfield was seen as essential to this and the maintenance of access to it, it was suggested, would require the negotiation of some sort of defence agreement with the Nigerian government (CO 968/668, no 8, 'Defence Requirements in West Africa': note by the secretary of the Chiefs of Staff Committee, 17 Feb 1958).]

*Mr. Campbell*¹

I have already mentioned to you over the phone some remarks made by Chief Festus this morning to the Minister of State about defence. What he said was somewhat vague and in the context of showing that there was a political case for H.M.G. to help Nigeria. He said that in his part of Nigeria there was a saying that one could be fish or animal, but not both. Nigeria could not be both independent and dependent, and the responsibility for Nigeria's defence was H.M.G.'s. This appeared to me unexceptionable when thinking of Nigeria as a dependent territory, but he went on to imply that our responsibility for defence remained even when Nigeria was an independent country. His argument was that Nigeria clearly could not defend itself with the forces about which we were talking, and that as a member of the Commonwealth Nigeria had the right to expect that H.M.G. would defend it.² The alternative, he said, might be that some other Power would take Nigeria over as a colony instead of us, which God forbid! This was clearly not a considered statement of Nigerian views about the relations between H.M.G. and Nigeria after independence, but it did set my mind working on the question whether we ought not to give serious thought to this question in time for our views, whatever they are, to be made clear to Nigeria before they take vital decisions about the date of independence. As you know, they are themselves working on the assumption that independence will come in April, 1960; an assumption about which for various reasons we remain sceptical.

At first sight it seems to me that there are two courses open to us:

- (1) to assume that the matter needs no discussion and that it is self-evident that H.M.G. will come to Nigeria's aid after independence should need arise;
- (2) that this is a matter for discussion and negotiation with a view to ensuring that if we undertake any obligations Nigeria undertakes obligations as well. In other words, something like a Defence Agreement should be negotiated prior to independence.

I realise that we did not negotiate a defence agreement with Ghana. Presumably this was because there are no vital interests of the U.K. which necessitated it. On the other hand, our interest in Nigeria is presumably much greater than in Ghana. For example, we have the interest of being able to ensure that we can over-fly Nigeria if

¹ A Campbell, assistant sec, head of CO Defence Department.

² 'Against whom?' was added in the margin at this point.

we had to reinforce East Africa or if we engaged in operations in the Middle East which necessitated reinforcement from this country by the quickest means. Moreover, we cannot be too sure that if things are left vague Nigeria will not get the best of both ways in full international affairs, i.e., the right to criticise and even embarrass us in international matters while still relying on us to pull their chestnuts out of the fire.

We expect the Resumed Conference on the Constitution to start about the last week of September or the first week of October. Officially, the agenda will be matters which were left unfinished at last year's Conference, but it is almost certain that the Secretary of State will be pressed further on the question of the date of independence. Our aim will be in that case to show that there will be quite a number of matters to be discussed with the Nigerian Governments before the date can be fixed, some of which at least cannot be settled at the Resumed Conference. In other words, that another conference will be required. It seems to me possible that we might want to suggest that among these matters is the question of mutual defence arrangements. However, that may be, it seems to me that we ought to take steps now to clear our minds and to get H.M.G.'s policy settled.

This is a matter in which I imagine the initiative would rest with Defence Department and you may like to register this minute and consider the matter further on your files. Alternatively, you may like to take the opportunity to discuss this at Mr. Eastwood's Working Party which is preparing for the Resumed Conference.³

³ The resumed constitutional conference opened in Sept 1958. See 449.

424 CO 554/1548 15 May 1958
 [Date of independence]: minute by M G Smith on pressure from
 Alhaji Abubakar Tafawa Balewa for self-government on 2 Apr 1960

(1) is an extract from the 1957 Conference report showing what are the U.K. commitments concerning independence for Nigeria. (2) is Sir Ralph Grey's letter¹ stating that the Prime Minister, with the full support of his colleagues in the Federal Council of Ministers, is asking for the 2nd April, 1960, as a firm date for independence.

In considering what our attitude should be, we should, I think, assume that the Prime Minister in saying what he did in the Council of Ministers, assumed that it would be passed on by Sir Ralph Grey to the Secretary of State. If this is so, it means that unless there is some positive response to the Prime Minister's expression of views, it is likely to be assumed by him and his colleagues that the U.K. is tacitly acquiescing in the proposed date. This would make it very difficult, if not impossible, for the Secretary of State to resist pressure at the resumed Conference to accept the 2nd April, 1960, as a firm date.

There are, I think, at least two main reasons why we should not at this stage accept the 2nd April, 1960. I understand from Mr. Morgan that the acceptance this autumn of a firm date for Nigerian independence would be as embarrassing to the U.K.

¹ See 422.

Governments relations with the Central African Federation, as we were advised would have been the case last year. Mr. Eastwood may care to confirm this with Mr. Gorell Barnes.

The second reason is the situation in Nigeria itself. Some progress has been made during the year since the 1957 Conference. Federally, the Prime Minister has grown in stature and has very remarkably managed to keep his curiously assorted colleagues together. But little fresh ability has emerged among the Federal team and it seems as clearly as ever to be an uneasy coalition rather than the Government of Nigeria. In many ways the situation is superficially similar to that in France where successive coalition governments stay in office only so long as they are able to avoid any decisive action which is bound to offend the interests of at least one of their diverse components. In Council, for example, the Federal Ministers frankly expressed themselves as unable to submit any federal recommendations to the Fiscal Commission since their party interests could not be reconciled. They had to fall back on a memorandum by officials.

In the Regions things are little more promising. There have been the recent serious disorders in East and West,² and the threat of disorder is permanently present in considerable areas of the Northern Region. The Eastern Region Government in the last year have given perhaps the most inept display of Regional Government yet seen in Nigeria, and the Government of the Northern Region still hangs almost entirely on the vain and unreliable Premier. Only in the West does Government appear both competent and stable.

The Minorities and Fiscal Commissions have not yet reported, but from what we know of the likely contents of the Minorities Commission report and of the very firm demand for new States recently reaffirmed by the Action Group (and supported by the EKET³ by-elections), there may well be trouble both in Nigeria and at the resumed Conference over the settlement of minority problems. Achieving this settlement, taking the shock of Regional Self-government in the North and preparing for Federal elections late in 1959 is likely to give all of us here and in Nigeria a full and anxious time up to the end of 1959.

This brings us to the next Federal elections. It is already clear that these elections for the formation of the Government to lead Nigeria into independence will be most bitterly contested, and it would be very difficult at this stage to forecast their outcome. The Government then formed will not be able to shelter, as the present one does, behind the Governor-General and his officials. It will have to be able to take hard decisions for the whole country. There is as yet little evidence that the bitterly contending parties will be able to form such a government. Until this can be done, so that there is some reasonable prospect that an independent Nigeria can be expected to hold together in peace and stability, I suggest that it would be premature for the U.K. Government to agree to any date for independence. This would mean that it would not be possible for the Secretary of State at the resumed Conference to go beyond the undertaking he gave last year, that the U.K. Government would in 1960 fix a date when it would accede to a demand for independence. This in turn almost certainly means (and no doubt Abubakar and his colleagues realise this) that that date can almost certainly not be as early as the 2nd April, 1960, and can at best be in the second half of 1960.

² See 417 and 420.

³ Calabar Province, Eastern Region.

If it is decided that the Secretary of State is not likely to be able at the resumed Conference to go beyond his undertaking of last year, I suggest that in view of (2) steps should be taken forthwith to make this known to the Federal Government. We might write to Sir Ralph Grey, Secret and Personal, suggesting for his consideration that if growing pressure for an early announcement of the 2nd April, 1960, as the date for independence, or even the tacit acceptance of that date, is likely to make it very difficult for the Secretary of State not to make concessions at the resumed Conference, there might be advantage in either inviting the Prime Minister to this country for an early informal talk with the Secretary of State, or encouraging him to come on other grounds and then discussing the question of independence with him. If we do not take some such step now, I fear that the tide of emotion may sweep us away against what I believe should be our better judgment.

425 CO 554/1718, no 121

22 May 1958

[Public service]: despatch no 1285A from Mr Lennox-Boyd to Sir R Grey on the compensation scheme for expatriate officers proposed by Sir J Martin

I have the honour to refer to the visit paid to Nigeria by Sir John Martin, Deputy Under-Secretary of State, in January and February, the purpose of which was to consider the effect of the Special List and other factors on the prospects of permanent and pensionable expatriate officers continuing to serve in Nigeria, and possible measures which might be suggested for consideration by Her Majesty's Government and by the Nigerian Governments. I wish at the outset to express my appreciation for the welcome given to Sir John and the facilities he was accorded.

2. I enclose at Annex A¹ a note briefly describing the situation as reported to me by Sir John Martin on his return from Nigeria. This confirms that the rapid exodus of expatriate officers from the Western and Eastern Regions is continuing and is already presenting difficulties for the administrations; that, unless adequate counter-measures are taken, the same pattern will be repeated in the Northern Region and the Federal Government as soon as their compensation schemes are brought into force; and that this would have particularly serious consequences in the North, where, owing to the limited number of qualified African officers, large-scale withdrawal of expatriates would render impossible the maintenance of administrative, professional and technical services as at present known. The reasons for the exodus are reported to be, first, 'political' difficulties; second, the attractions of lump sum compensation for many officers; and third, dissatisfaction with existing standards of remuneration, especially for officers with families. These factors are partly intangible or psychological and partly material. As you know, I attach the greatest importance to the policy of Nigerianisation, but it is clear that the success of the policy will be prejudiced by an over-rapid departure of expatriates. I believe that there is still time to control this to an extent which may avoid the gravest dangers. I have examined, in the light of Sir John Martin's recommendations to me, possible measures to this end and the object of the present despatch is to put the measures

¹ Annexes not printed.

which I propose before Nigerian Governments and to explain the extent to which Her Majesty's Government themselves can see their way to help to overcome the problem.

3. I accept the conclusion reached by Sir John Martin that, for the reasons given in the enclosed note, the existing Special List in its present form is not an effective measure for halting the flow of retirements and I do not think that it could be modified in any way acceptable both to the Nigerian Governments and to Her Majesty's Government so as to make it attractive to any substantial number of officers. I suggest that it should not be abandoned entirely, but should be retained in its present form for those officers who may wish to remain in it or to apply for admission. I propose however that an alternative scheme, to be called 'Special List B', should be introduced on the terms of Annex B to this despatch. (It would then be convenient to re-name the existing List 'Special List A'). In the following paragraphs I explain this scheme in relation to the specific difficulties to which Sir John Martin drew attention.

4. At the present stage of constitutional development there is little that Her Majesty's Government can themselves do to overcome the difficulties referred to as 'political'. As regards dissatisfaction with remuneration, I consider that, on the basis of comparable salary scales elsewhere and of the increased cost of living since the date of the Gorsuch Report, there is a strong case for undertaking a general review of expatriate officers' salaries in Nigeria, but I also recognise the difficulties which this would present for Nigerian Governments at the present time. I would however most earnestly ask that those Governments which have not already introduced the full scale of children's allowances recommended in the Gorsuch Report should consider yet again whether they could not now do so.

5. Meanwhile, since the original Special List has not proved effective for the purpose, it is urgently necessary to find other means of off-setting the attractions of lump sum compensation. In the first place, an officer's incentive to leave would be much reduced if he could obtain, while continuing to serve in Nigeria, an advance of a substantial proportion of his entitlement to compensation. Officers who did not require to spend the advance on the education of their children or other immediate commitments would be able to invest it and so obtain additional current income to supplement their existing remuneration. Such advances are already granted in certain circumstances by the Government of the Eastern Region. I propose that the system should be extended and that all officers on Special List B should be granted interest-free advances of 90% of their entitlement to lump sum compensation, and that, to alleviate the substantial immediate financial burden which this would otherwise place on Nigerian Governments, half the cost of the advances should be met by Her Majesty's Government until such time as they are repaid when the officers ultimately retire.

6. A system of advances against compensation would not however by itself be sufficient. For older officers the entitlement to compensation declines year by year, while for younger officers it is small. It is necessary to allow for both situations. My proposals accordingly envisage an extension of the 'freezing' device and a system of abatement of repayment of advances. In both cases financial assistance to the Nigerian Governments is offered by Her Majesty's Government.

7. Without 'freezing' an officer's entitlement to compensation rises steadily between the ages of 28 and 41 and then declines year by year until it reaches zero at

the age of 55. By 'freezing' the entitlement is held at its maximum point for a period of years. It is obvious that this is an attractive arrangement for the older officer, who would otherwise see his entitlement diminish year by year. The longer the term of 'freezing' offered the greater security for officers and therefore the greater their readiness to remain in Nigeria. Such 'freezing' on certain conditions has already been introduced in the Western and Eastern Regions, though I understand that it has not yet been approved for periods exceeding three years.

8. I would strongly urge that all the Nigerian Governments should re-examine their policies with regard to 'freezing', with a view to offering the most generous terms possible. In order to assist Nigerian Governments to make more extensive use of the 'freezing' provisions, Her Majesty's Government are prepared to meet the whole additional cost of 'freezing' the compensation of officers on the proposed Special List B for more than three years after the date of introduction of the relevant compensation scheme, on the basis of the formula in Annex B to this despatch. This offer is made on the understanding that no conditions would be attached to the grant of 'freezing' privileges regarding the period which the officer in question would continue to serve, save that, in accordance with paragraph 4 of Annex B, each officer would be required to give not less than one year's notice, inclusive of earned leave, of his intention to retire. I hope that this financial contribution by Her Majesty's Government will enable 'freezing' concessions to be granted on a far more generous basis than has hitherto been considered possible. The requirement that Officers should give a year's notice of retirement would, I hope, be of value to Nigerian Governments, since I know that the shorter notice sometimes given has been a cause of embarrassment.

9. As regards the younger officers, many of them will not be entitled to substantial advances in respect of compensation and none under the age of 41 will benefit in any way from freezing privileges. I therefore propose that they should not be required to repay all of the advances made to them at the cost of Her Majesty's Government. The proposal is set out in paragraph 9 of Annex B. Briefly, it is that the amount which an officer will have to repay to Her Majesty's Government will be reduced by 20% of his salary for each year of service under the age of 41 after the introduction of the relevant compensation scheme and there will be a similar but smaller reduction in the amount to be repaid in respect of service between the ages of 41 and 44 since at these ages officers do not benefit so substantially from freezing privileges as do older officers. The whole cost of this concession would be met by Her Majesty's Government.

10. Lump sum compensation schemes have not of course so far been introduced in the North and in the Federation and are not expected to be introduced before Regional self-government in the North and before independence in the Federation. Meanwhile, in order that some immediate benefit may be offered to officers continuing in their Services, it is proposed that, pending the introduction of the full Special List B Scheme in the North and in the Federation, they should receive each year interim advances, also interest-free, equal to one quarter of their annual pensionable emoluments. Half the cost of these would also be reimbursed by Her Majesty's Government. On the coming into force of the compensation schemes, they would receive the full benefit of the concessions proposed above.

11. To summarise therefore I propose that overseas pensionable officers admitted to List B should be required to give at least one year's notice of their

intention to retire; that they should be entitled to receive interest-free advances of 90% of their entitlement to compensation, the cost to be shared equally between Her Majesty's Government and the Nigerian Government concerned; that Her Majesty's Government should agree to waive repayment of a part of the advance made to each officer under the age of 44, depending on the officer's age and his length of service after the introduction of the relevant compensation scheme; that for older officers there should be a generous extension of freezing privileges, the cost of which would be met largely and in some cases wholly by Her Majesty's Government; and that, until the compensation schemes come into force in the North and the Federation, there should be a scheme of interim advances to officers there. I enclose at Annex C an example of how these proposals would work out in a particular case.

12. The remaining features proposed in Annex B for the new Special List require little comment. As in the existing Special List it is proposed that the pensions, gratuities and compensation due to officers or their dependents should be paid by Her Majesty's Government and recovered from the Nigerian Government concerned. It is also proposed that the Nigerian Governments should undertake to provide fair and reasonable conditions of service which would in any case be not less favourable than those at present in force. This is in any case in accordance with the undertaking to be given in the proposed Public Officers Agreements referred to in paragraph 8 of the Report of the Committee on the Public Services of the 1957 Constitutional Conference. These Agreements are in preparation. In all other respects the officers concerned would continue to be members of the Public Service of the Nigerian Government concerned save that an officer would continue to have a right of appeal to Her Majesty's Government against any disciplinary decision which might affect his eligibility for lump sum compensation or pension. As I have already informed you, a clause is included in the current Finance Bill to ensure that no additional liability to United Kingdom taxation will result from the payment of pensions by Her Majesty's Government.

13. I commend these proposals most earnestly to the sympathetic consideration of Nigerian Ministers. I believe that they should go a long way to create conditions which will enable many officers who would otherwise leave to continue in the service of Nigeria. They will involve substantial financial assistance from the United Kingdom—of the order of £1m. in the present financial year; £1½m. next year, and considerable additional sums in subsequent years. Her Majesty's Government are for their part ready and willing to make this contribution towards meeting the staffing difficulties which might otherwise be a cause of serious embarrassment to Nigerian Governments. They hope that the Nigerian Governments will be ready to co-operate in these measures and that the Governments concerned will be prepared to review their arrangements for children's allowances as suggested in paragraph 4 above.

14. I should be glad to know whether these proposals commend themselves to your Ministers. It seems very desirable that if, as I hope, agreement is reached upon them, early steps be taken to make them known to the officers concerned and that the latter should be invited to apply for membership of Special List B on the basis of Annex B to this despatch. The conclusion of formal agreements embodying the terms and conditions of service for Special List B officers, if they are felt to be necessary, could then be considered at more leisure.

15. I recognise that there are certain pensionable expatriate officers who are not or who will not be entitled officers under the relevant compensation scheme and who

would not therefore benefit from the above proposals. The number of such officers is few but I should find it difficult to contemplate that they should be left entirely outside a scheme which will confer substantial benefits on their colleagues. If in other respects the proposals for Special List B are acceptable to your Ministers, I suggest that the position of such officers should be considered as a special case and your Ministers can be assured that Her Majesty's Government would be very willing to assist financially in any arrangements which might be devised e.g. by admitting them on special terms to the benefits of the compensation scheme of your Government.

16. This despatch is being addressed to the Acting Governor-General, to the Governors of the Western and Northern Regions and to the Acting Governor of the Eastern Region.

426 CO 554/2122, no 37

1 June 1958

[Political situation]: letter from Sir R Grey to Sir G Bell on Alhaji Abubakar Tafawa Balewa's attitudes to the role of the federal government

Thank you for your very interesting letter GHN.1 of May 13, in which you told me of your conversation with the Prime Minister of the Federation. I have not replied before this because I was thinking over what you had there written, what was in your recent 'chatty despatch' (Secret and Personal No. 27 of May 14 to the Secretary of State) and conversations that I have recently had with Abubakar. I was most interested in what you told me and I wonder whether you would not think it worth sending a copy of your letter to Eastwood. I send this letter in duplicate so that if you do decide to copy yours to Eastwood a copy of this one can go with it.

2. Abubakar is, as he told you, 'an ardent Federalist'; but I know that he worries that the Ministers in the Northern Region are not. His reference to his advocacy in 1953 of a 'deliberate weakening of federal ties' is a harking back to the idea he held long ago, to which he returns at times when the bickering and intrigues of his Southern colleagues are temporarily more than he can bear, that most of our internal friction would be removed if the Regions were left to get on with their own affairs and there was 'a central Agency' that looked after ports, railways, telecommunications and customs (with defence, external affairs and police in the hands of the Governor-General). This 'central agency' was to have been a small body of officials 'responsible to the House of Commons' and it used to be difficult to persuade Abubakar that it would not work. Now that he sees something of defence and external affairs and has the general over-sight of the whole field of Federal endeavour that a Prime Minister must have he seems convinced that there is no real alternative for Nigeria to a federal system of government. But I think that he is sensitive on the score that he is not supported in his Federal ideas by his own colleagues. Ribadu is, as the Prime Minister knows, overmuch occupied in personal money-making and intrigue; I don't think that he looks on Inuwa Wada as being of much consequence other than as a representative of Kano; and he is isolated from his colleagues at Kaduna. It may be, therefore, that when he goes to Kaduna he is more 'Northern' than he is when here. Certainly the voice that speaks from your letter of May 13 is not exactly that to which we have grown accustomed here.

3. But wherever he is, there is no doubt that Abubakar believes in the 'strong government' of which he spoke to you. There are all sorts of stirrings and rumblings within both the N.C.N.C. and the Action Group of which he spoke to me at length recently. I do not set down all he told me because, although some of it sounded astonishing at the time, I think that the pattern within the Southern parties keeps changing so rapidly with the whims and ambitions of the principal figures that to seek to maintain a running account of them would be a waste of time. But Abubakar clearly thinks that Azikiwe is near the end of his political career and that although it is not yet clear how that end is to be compassed, his enemies (and his own defects) will bring him down before long. Abubakar also seems quietly confident not only that he can hold his present team together until independence (which he repeatedly asserts must come on April 2, 1960—an assertion which Robertson has told me in a recent private letter he considers Abubakar has to make in order to retain the confidence of his Ministers) but that he will be at the head of the government thereafter. He told me a few days ago that he had been asked by Akintola, at the behest of Awolowo, when he was going to enlarge his 'cabinet' and he had replied that he had no intention of doing so—there were more than enough Ministers already. When Akintola represented that it would be embarrassing for him to take back this reply, Abubakar said (as he informed me). 'Tell them that the matter is not one within your responsibility.' Although I wish he would be firmer in checking some of the malpractices of our Ministers, particularly Ribadu, it seems that he can be firm enough when he likes and that the Ministers respect his decisions (although Akintola looked very sulky when we met in Council after the talk of which Abubakar told me). And he does feel that when the power is all in his hands, he will be able to be much 'firmer' than we have been. I doubt if, when the time comes, he will find it as easy as he thinks but, although he does not like Nkrumah, he thinks that Nkrumah's way of managing the Opposition in Ghana is the right way for West Africa at this time.

4. I hope that he is not being over-confident about the immediate future. He is not alarmed at the prospects if the Minorities Commission do not recommend the creation of separate States—he says there will be 'trouble—but not much'. And that 'the people will accept what they are given'. I hope he is right. He has not discussed with me the recent Press campaign in support of the idea that the Merthyr recommendations should stand only if there were universal adult suffrage in the North but from others I gather that he has no intention of recommending any such concession to Southern views.

5. One very interesting straw in the wind is that he told Bovell¹ at a dinner-party in Dr. Majekodunmi's² house that he was convinced that it would be unwise to split up the present Federal Police Force but that the Nigeria Police should be retained and the Regions should, at the same time, be encouraged to strengthen and increase their Native Authority and Local Government Forces. Bovell of course replied that that indeed was what he would like to do and that he was in fact already trying, in accordance with the recommendations of the Conference of 1953 to strengthen local forces. This indeed seems a change of heart on Abubakar's part.

¹ Inspector-general of police.

² Dr Moses A Majekodunmi, medical physician and minister of health after independence.

6. I was grateful for the news in paragraph 11 of your 'chatty despatch' that you had spoken to your Premier on the subject of the North's relations with the Western Region—even though his immediate reaction was not very hopeful. But, as you then went on to say, it is clear that the Northern politicians have given little thought to the working of a self-governing Federation. It is perhaps worse than that—they give little thought to the benefits of working a non-self-governing Federation. Would it be possible to work on the Sardauna and some of his principal Ministers so that they had a better comprehension of the benefits of federalism, of the North's ultimate dependence (if it is to get anywhere in this modern world) on continued association with the West and East and of the way in which Abubakar is so valiantly serving true Northern interests by his work here for the Federation?

7. I am sending copies of this letter to Rankine, Gunning and Field.

427 CO 554/1548, no 4

4 June 1958

[Date of independence]: letter from Sir J Macpherson to Sir R Grey expressing concerns about the choice of a date for independence.

Enclosure: CO memorandum on the date of independence [Extract]

The Governor-General has told us that he has had a letter from Abubakar in which he speaks of his wish to discuss with the Secretary of State arrangements for independence so that it would be possible for H.M.G. to grant it by the 2nd April, 1960. He has also asked him to try and find for him a 'Celebrations Officer'. Robertson has told Abubakar that he has mentioned these two points to the Colonial Office.

As regards the Celebrations Officer, we will see what we can do and write separately. Ghana found a retired Naval Captain who was employed for quite a while before independence actually came.

As regards the Prime Minister's wish to discuss with the Secretary of State arrangements for independence, I suppose he has it in mind that the discussion should take place when he comes here for the Conference, as we do not believe that it is his present intention to come over before that. If it *were* his intention to come within the next couple of months, the Secretary of State would of course be very glad indeed to see him. If he does not come until he comes for the Conference, then the Secretary of State will certainly wish to discuss the question with him then, preferably, we suggest, a few days before the Conference starts.

This request came to us while we were still considering your letter G. 618 of the 8th May to Eastwood in which you told us how Abubakar had spoken in the Council of Ministers as if the 2nd April, 1960, must be the date for independence.¹ Robertson tells us that he has talked to him more than once in this sense. Robertson of course pointed out the very real practical, or logistical, difficulties but Abubakar contended that these could be overcome if we (and particularly the lawyers) 'really tried'.

All this worries us a good deal because the more we think about it the more obvious it seems to us that the 2nd April, 1960, is not a realistic date. I enclose a note in which the Department have tried to set out our reasons for this.

¹ See 422.

We quite realise of course that Abubakar is in an awkward position because he has no 'Federal' party and cannot seem to lag too far behind the Regional Premiers. I wonder, however, whether the other Premiers really believe in the magic of this date. David Williams, for instance, who has just come back from West Africa tells me that he is pretty sure that neither the Sardauna nor Awolowo does, whatever they may say in public.² We feel that it would be the greatest pity if Abubakar nailed his colours too firmly to this particular mast, as if he does so it could only increase his difficulties later on.

Presumably Abubakar will now be expecting to hear something from the Secretary of State in response to his approach to Robertson. Will you please tell him that the Secretary of State would be very glad indeed to discuss the question with him either during June or July if there is any question of his coming to England then, or when he comes to England for the Conference and preferably some days at least before it starts? Will you please remind him that at the Conference last year the Secretary of State said that if some time about January 1960 a new Nigerian Parliament passed a resolution asking H.M.G. to agree to full self-government within the Commonwealth by a date in 1960 H.M.G. would consider it with sympathy and be prepared to fix a date when they would accede to the request, though he could not give an undertaking that it would be the same date as asked for in the resolution.³ Nothing that has happened in the last year has led the Secretary of State to believe that he will at any time before the beginning of 1960 be in a better position to name a date than he was last June. He will not therefore at the resumed Conference be able to improve on the statement he made at the 1957 Conference. He has no desire whatsoever to 'drag his feet' on this but everything that has happened since last June, both in current affairs and in his own thinking on the many issues yet to be solved, leads him pretty firmly to the conclusion that, even if things go as well as possible, independence cannot be achieved quite as early as the 2nd April, 1960. He has reached this view both because of the number of matters of substance still outstanding and also because of the sheer mechanics of the various steps which have got to be completed. You could elaborate on this on the lines of the memorandum. There is no dispute whatsoever between the United Kingdom and Nigeria that the objective is the independence of the country within the Commonwealth, in unity and with economic and political stability. The job of everyone of us is to bring Nigeria as speedily as possible, but also (and even more important) as surely and satisfactorily as possible, through the remaining stages of preparation for independence. No particular date arbitrarily chosen must be allowed to obscure or prevent the attaining of this major objective. It is far too important for that. . . .

Enclosure to 427

1. For reasons both of substance and of sheer mechanics it becomes increasingly obvious that the earliest date on which Nigerian independence is actually attained will have to be some months later than the 2nd April, 1960.

² David Williams, editor of *West Africa* magazine, 1949–78.

³ See 409. Grey met Tafawa Balewa on 24 June to attempt to persuade him to drop the demand for independence on 2 April 1960 but noted that 'the real power to determine the pace of events has in fact passed from us to the local people' (CO 554/1548, no 11, Grey to Macpherson, 24 June 1958)

2. To deal first with matters of substance, clearly one of the most important is the recommendations of the Minorities Commission. Until that Commission has reported and its report has been considered and disposed of, it will not be known whether any new States are to be created.⁴ If there are to be new States, the reorganisation of government involved will be such a major operation that it cannot possibly be satisfactorily completed and the new units be firmly established by April 1960 or even later in 1960. Yet the Action Group have recently reaffirmed that they will not compromise at the resumed Conference in their demand for the creation of new States.

3. If the Minorities Commission do not recommend new States but satisfactory agreement is reached at the resumed Conference on what they do recommend, on the report of the Fiseal Commission and on the other outstanding questions—and at present this looks like a large assumption—the agreements reached after hard bargaining in Conference must then be translated into action and prove themselves in practice. In particular Regional self-government in the North (more than half Nigeria) is likely to bring greater problems than in the East and West if only because the Regional Government is more dependent than the other major governments of Nigeria on the services of overseas officers. The organisation of the Provincial Authorities has yet to be worked out and put into practice and this too will be made more difficult since it is likely to coincide with the departure with lump sum compensation of some at least of the overseas officers who cannot yet be replaced by Northerners.

4. The solutions to the minorities problems may involve radical changes in government, including changes in the relations between the Federal and Regional Governments. It would be bound to take some time to put these into practice and to test whether they are both workable and acceptable to the bulk of the population.

5. It will again take some time to work into the structure and policy of the Nigerian Governments the adjustments which the report of the Fiscal Commission will presumably require.⁵

6. But on the present time-table the whole of 1959 will not be available for the assimilation on the these important changes. The latter months of the year will no doubt be occupied by all political parties with campaigning for the new Federal elections. The three major parties are represented in the present Council of Ministers. But it is by no means clear that all members of the Council will have been able to sink their Regional and party differences to reach agreed Federal policies. On the contrary it seems pretty certain that the Council will split up and all three parties will oppose each other hotly at the Federal elections.

7. There will still remain the difficult problem of the relationship between the Federal and Regional Governments after independence, i.e. in effect the extent to which the power at present vested in the Governor-General to intervene in Regional affairs should devolve on an independent Federal Government. It would not be wise to try and settle this at the resumed Conference this year. Many Ministers in the present Federal Government are still essentially Regional in outlook, and they would be all too ready to see the Federal powers whittled away. But H.M.G. must ensure that the Federal Government after independence has the powers necessary to maintain the unity of Nigeria and indeed will be strong enough to use them. It is to

⁴ See 432.

⁵ See 431.

be hoped that from an election with the Merthyr constituencies a Federal Government will emerge strong enough and single-minded enough to move forward to independence as the government of one of the greatest countries in Africa. That Government will then be face to face with the need to have powers to maintain its authority after independence. Only by discussions with that Government and of course the three Regional Governments will H.M.G. be able to work out a really satisfactory settlement to this difficult problem. In other words there will have to be another Conference though a much smaller one (being only with representatives of the four Governments) after the next Federal election.

8. In view of all this it seems clear that the United Kingdom Government will not be able before the beginning of 1960 at the earliest to fix a date for independence. Indeed even then it may well find it difficult to form a final judgment on whether there is sufficient prospect of an independent Nigeria maintaining its unity and stability and making ordered progress to justify independence. If the date is not fixed until early 1960, then it seems impracticable for the date when independence is actually achieved to be as early as the 2nd April.

9. Considerations of mechanics lead to the same conclusion. A Federal general election cannot be held until, following on the publication of the Merthyr Report, the Governor-General has proclaimed the constituencies and until the electoral rolls for these constituencies have been drawn up. It seems that 17 months will be required for this process, though possibly some sort of electoral roll could be produced a month or two earlier. But, even so, it is going to be difficult to have a general election before the latter part of next year. Thereafter the new Government has got to be formed and get into its stride. Then a resolution has to be passed in the House asking the Secretary of State to fix a date. The Secretary of State had it in mind at the time of the London Conference that this would probably be about January, 1960, but conceivably it might be two or three months earlier. But then, as stated above, there will probably have to be another conference, not with political parties but with the representatives of the Federal Government and of the three Regional Governments. Although it would be a less elaborate operation than the 1957 or 1958 Conferences, it is bound to take another month or more. After that the lawyers will have to draft the final constitution. Much of it will no doubt have been settled at the resumed Conference but inevitably a good deal will still remain over. It is immensely important that the constitution with which Nigeria enters on independence and which will last for many years (for it will not be easily alterable in material particulars thereafter) should be as good as it can be made and the lawyers must have enough time to do a really good job. Finally, when the Order in Council is made, a bill has to be got through the United Kingdom Parliament. All experience shows that these processes cannot possibly be completed properly in a matter of weeks.

10. In short, both because of the substance of the questions remaining over and of the mechanics of all the stages to be completed, it seems virtually impossible for independence to be attained by the 2nd April, 1960.

11. Reference has not been made in these paragraphs to the British Cameroons, since it is not to be expected that the independence of the whole country should be held up for a tidy solution of the future of the small strips of Trust Territory. But in fact there are many steps to be taken in the Cameroons and the United Nations to lead to the termination of the present Trusteeship Agreement and it is hardly likely to be possible to complete them before the second half of 1960.

12. There is no dispute whatsoever between the United Kingdom and Nigeria that the objective is the independence of the country within the Commonwealth, in unity and with economic and political stability. The job of everyone of us is to bring Nigeria as speedily as possible, but also (and even more important) as surely and satisfactorily as possible, through the remaining stages of preparation for independence. No particular date arbitrarily chosen must be allowed to obscure or prevent the attaining of this major objective. It is far too important for that.

428 CO 554/1656 5 June 1958
**[Northern Region self-government]: minute by M G Smith on the
 need to press for reforms in the Northern Region before regional self-
 government**

At (10) Mr. Weatherhead¹ encloses the draft approved by the Northern Executive Council of a Sessional Paper containing its proposals for self-government for the Northern Region.² Mr. Weatherhead asks for our comments and a draft of these has been placed opposite. It would not, I think have been unreasonable for Mr. Weatherhead to do some work on the Sessional Paper himself before sending it here for our comment.

The Secretary of State's discussions with the North about Regional self-government there will be our last major opportunity before Nigeria becomes independent to try to clear up some of the major injustices and inequalities that now characterise life in that Muslim dominated region. Much of the difficulty with which we are now faced no doubt comes from the fact that over the last half century we may well have been over-indulgent to the less pretty feudalistic practices and outlook of the Fulani Emirs, justifying our action, or inaction, partly by the fact that a steady improvement has been going on throughout this period, and partly also by the ad hoc intervention of the Administration to prevent particular acts of injustice. Major political movement towards self-government and independence has now outstripped the steady social progress which our Administration has faithfully encouraged and we are left with the very unpleasant situation of contemplating the early confirmation of Regional self-government and, not much later, the final transfer of power, at a time when we are still very uncertain that with the withdrawal of British power there may not be a revival of Muslim feudalism and a relapse of much of the Region into the practices from which Lord Lugard rescued it.

In considering therefore what should be the Secretary of State's approach to Regional self-government for the North we have to consider not simply what the North say in their Sessional Paper but, much more important, how far the Secretary of State can hope to use his remaining bargaining counters to bring pressure on the North to introduce at this late hour some of the minimum reforms which may be necessary if the Region is not to suffer the relapse referred to above once the British Administration can no longer intervene. The draft opposite tries to draw attention to

¹ A T Weatherhead, administrative officer, Northern Region.

² The refers to *Proposal for Self-government of the Northern Region of Nigeria* (Kaduna, 1958), approved by Northern Region Executive Council on 22 May and laid on the table of the legislative houses, July 1958.

a number of fairly obvious points in this context over which we have been mulling with varying degrees of success in the course of the last 18 months.

I have left spaces for particular points in the Sessional Paper on which Miss Terry may wish to comment.

429 CO 554/1656, no 15 24 June 1958
 [Northern Region self-government]: letter from C G Eastwood to Sir G Bell outlining the CO reaction to the demand for self-government for the Northern Region [Extract]

Would you kindly refer to Weatherhead's Secret and Personal letter No. 156/34 of the 26th May enclosing a copy of the Northern Region Draft Sessional Paper on Regional self-government? We have also seen (since most of this letter was drafted) a copy of Gardner-Brown's letter to Weatherhead of the 10th June, Weatherhead's reply of the 17th June and of course his letter to me of the 5th June.

2. Our general impression of the Sessional Paper is that it is moderate in its demands, if here and there ambiguous; and that its proposals are by and large acceptable. Much of it has apparently been based not only on what was agreed for the East and West but also on the Action Group's similar paper (No. 3 of 1955), not always very skilfully adapted. (We have not, however, failed to understand the background as explained in the second paragraph of Weatherhead's letter of 17th June to Gardner-Brown).

3. I take it that when the Sessional Paper has been approved by your two Houses, the Regional Government will ask the Secretary of State to agree to the grant of Regional self-government on the lines indicated in the Paper; that this question will then come before the resumed Conference, the Sessional Paper probably becoming a Conference document; and that eventually the Secretary of State will agree to Regional self-government more or less on the lines indicated in it. Probably the procedure at the Conference would be that we should have a separate discussion with the North about their Paper, the result of which would be the circulation of a fresh document to the Conference itself for their concurrence. I am not sure how far the draft Sessional Paper can now be altered before it is submitted to your two Houses; I gather from Weatherhead's letter of the 17th June to Gardner-Brown that it cannot. But no doubt the considerable ambiguities it contains at present can be ironed out in the discussions at the time of the Conference and it will not therefore matter very much if they remain in the document as passed by your two Houses. Of course in the last resort the only effective document will be the eventual Order in Council.

4. I see that Gardner-Brown at the end of his letter (para. 5) suggests that it might be helpful to the lawyers to get the provisions for Northern self-government out of the way before the major changes which may result from the resumed Conference have to be tackled. I am sure this would not be the view of our Lawyers who would be quite unable, through pressure of other work, to tackle any major amendments to the Nigeria Constitution before the Conference and hope that the decisions of the Conference can all be incorporated in one fresh and comprehensive set of instruments. In any case, we should feel, as a matter of principle, that the Northern proposals should first have the blessing of the Conference. . . .

6. The Secretary of State is not, of course, restricted in considering the question of self-government for the Northern Region to examination of the Regional Government's Sessional Paper. As you know at the 1957 Conference the Secretary of State's approach to the question of Regional self-government for the Eastern and Western Regions was that while the United Kingdom Government was committed to granting Regional self-government, it was not committed to any particular form of Regional self-government and he must ensure that the Regional self-government that was granted was 'good' government in a form suitable to the circumstances of the Region. This principle did not appear to be challenged throughout the Conference. We think that so far as the North is concerned the Secretary of State should be regarded as free to approach the question of Regional self-government there on the same basis and should not necessarily be bound by what was agreed for the East and West. The question is rather what is most suitable for the North, and the North themselves appear to accept this in proposing, for example, to retain the post of Attorney-General as a non-political one despite what was agreed for the East and West. We of course realise that any special approach to Northern problems could in no way seem to be based on the proposition that the North is more backward than the Eastern or Western Regions; but we could perhaps, if necessary, say that its great size and population and very different history distinguish it from the Southern Regions and merit in some respects individual treatment.

7. We should, therefore, be most grateful if in drafting the brief for the Secretary of State you would consider what arrangements or safeguards additional to those proposed in the draft Sessional Paper are desirable and feasible in the North. The reports and despatches that you have sent us in recent months have drawn attention to a number of features or trends in the life of the North which are causing you concern. Of these the major ones appear to be:—

(a) The risk that after self-government or independence effective power may revert to the Emirs and Chiefs whose traditional influence the Ministers might not be able to withstand. The risk of this would no doubt be considerably enhanced if by far your most powerful Minister, the Sardauna, himself succeeded to a senior Chieftom.

(b) The strong tendency to authoritarianism in the present dominant political combination of the N.P.C. and the Chiefs. This already makes the life of the Opposition in the North precarious. After self-government it might become insupportable.

(c) The concentration of executive and judicial authority in the Emirs and the Native Authorities and the consequential prospect after self-government of widespread repression and injustice.

8. Clearly you will know much better than we what it is practicable to propose to meet these dangers. The proposals of the Minorities Commission will no doubt help, though presumably they will not be concerned with political minorities as such. The following steps are, or have been, under consideration in different forms in the last year or two:—

(a) *The restriction of the field of Muslim law*

This seems, from a number of angles, one of the key problems, not merely from the standpoint of avoiding injustice to racial or religious minorities, but also to

guard against the possible suppression of the views of a political minority on the grounds that they are an insult to constituted authority. We have of course separate correspondence on this. The question seems to be so important for the future of the Region that the Secretary of State may wish to be assured that satisfactory action has been, or is in the process of being, taken on it before he can agree to Regional self-government on a firm date in 1959.

(b) *The Hudson proposals for the establishment of provincial authorities*

The post of Resident has, very naturally, been regarded throughout West Africa as one of the symbols of colonial rule. One of the early moves of the Convention People's Party in the Gold Coast was against the power and responsibilities of the Administration in the field and similar moves have been made over the last three or four years by the Action Group and the N.C.N.C. Whatever professions the N.P.C. may now be making on this point, it seems only wise to assume that once the Northern Region becomes self-governing your Ministers will wish to exercise their new-found power (and keep up with the Joneses in the East and West) by steadily reducing the status and functions of the Administration in the Provinces. As we understand it, it is at least arguable that in the smaller areas of the Eastern and Western Regions it is becoming possible with improved communications to dispense fairly satisfactorily with some of the field posts that were once regarded as essential. But the vast areas of the North and the severe restrictions on communications seem to preclude this possibility in the Northern Region for many years to come. It is, for instance, difficult to believe that there would be much peace and security in Kano City with its large and self-confident Sabon Gari beside it, if the strong and impartial hand of the Resident was removed. Much of the purpose of the Hudson proposals was to retain the post of Resident in a form which might be acceptable to local opinion by in effect putting it into commission. It seems that over the last year your Ministers have blown hot and cold over these proposals as the Minorities Commission has approached and departed and as pressure from the Chiefs has waxed and waned.

The Secretary of State ought, before he is asked to agree to Regional self-government for the North, to be satisfied that there is some prospect of settled administration. The Sessional Paper makes no reference to any provincial reorganisation, though it was of course mentioned in the 1957 Conference Report (paragraph 21 (g)). I know that a great deal of thought has been, and is being, given to this subject and we hope that either in the brief from the Secretary of State or separately you will say what steps you think can be taken and how far the Secretary of State should press your Ministers on this point.

(c) *The concentration of judicial and executive authority in the Emirs*

Quite apart from the question of the position of Muslim Law the reports we have received from the North over the last year or two have time and again referred to the difficulties that have arisen with the political Opposition through the concentration of judicial and executive power in the same hands. This seems to have meant time and again that the Opposition have for example to apply to the Emir or the Native Authority for permission to hold a meeting (whose object is bound to be to criticise the policies and actions of the party favoured by the Emir or Native Authority) and then, if any disturbance occurs, the Opposition members are first handled by the N.A. Police and then come before the same Emir or his

Court for 'judicial' trial. The concept that a man shall not be a judge in his own cause seems foreign to the Muslim understanding of the nature of constituted authority.

This difficult question is examined at some length in T. H. Williams' paper on the Legal Systems of Northern Nigeria of which K.P. Maddocks sent me a copy with his letter of the 11th April. It is pointed out on page 8 of that paper that it is at present often possible to avoid the more obvious forms of injustice inherent in this combination of executive and judicial powers by the exercise by the Administration of the powers of transfer and review that are now vested in it. Later in his paper Williams suggested that these powers should now be surrendered as they are unlikely to survive for long under Regional self-government. We are impressed by his diagnosis, but if it is possible, through a revised Hudson plan to preserve in the North for years to come something like the present structure of the Administration it may be that these powers of transfer and review should also be retained. Whether or not that is the case, we should again be grateful for your advice on how best the Secretary of State can discuss this very serious problem with the Northern Leaders and what solution he should suggest. . . .

430 CO 554/1548, no 13

9 July 1958

[Date of independence]: letter from Sir R Grey to C G Eastwood reporting on discussions with Alhaji Abubakar Tafawa Balewa concerning the date of independence. *Enclosure*
Minute by Mr Lennox-Boyd

In my letter of 24th June, to Macpherson, in answer to his of 4th June,¹ about the date of independence, I said that Abubakar wished to discuss again with me, when I had returned from the North, the Colonial Office memorandum that I showed him and that I would write again when he had done so. He came to see me yesterday and I send with this a note of the conversation.

We shall certainly soft-pedal 'April 2, 1960' and try to avoid the mention of it; and, as stated in paragraph 5 of my letter of 24th June, Abubakar appreciates that if we were all to go on talking about it there would be great unhappiness if it proved impossible of fulfillment. I think that we may be able to get him to refrain from frequent mention of the date. But I am not sure that it is right (see top of second page of Macpherson's letter of 4th June) that 'it could only increase (Abubakar's) difficulties later on if (he) nailed his colours too firmly to this particular mast'. It would increase *our* difficulties; but would he have anything to lose if he were seen to be pressing for that date and we were thought to be less assiduous in pressing on than we might be? I do not think that Abubakar is the man to play politics of that kind; but I am sure that if we try any more to persuade him that, for other than 'mechanical' reasons, the date is impossible of achievement, we shall merely lose his confidence, than which we have no more precious asset. He is not to be deterred by prospects of unrest if independence comes too speedily. He said candidly to me that we are very fortunate, much more fortunate than other countries that have newly

¹ See 427.

come to independence, to have had so little 'trouble' so far. He expects that there will be trouble in the years immediately ahead and I think that now that his own personal die is cast and he is Prime Minister of a national Government seeking independence in 1960, he feels that the sooner he is able to tackle things in his own way the better. I need not say that he is not, like Ribadu, vainglorious and overconfident and ignorant of all the problems; I do not think that he realizes what all the problems are or how tough some of them will be, but he is humble, very much conscious of his personal responsibilities and resolutely determined to face the troubles he thinks will come.

I am sending copies of this and of its enclosure to the Regional Governors. I send an extra copy for Robertson.

Enclosure: Note by Sir R Grey, 7 July

The Prime Minister called on me today to discuss further the C.O. memorandum (which I had shown him personally and privately) about the unreality of April 2, 1960, as the date for Nigerian independence.

2. Again he started by agreeing that if any new State is created, April 2, 1960, is out of the question. He said that it would be twelve months or more before we got the new State functioning. But he clearly thought that the chances of any such new State being recommended by the Minorities Commission were small and he dismissed the Action Group assertions of 'no-compromise' at the Conference as mere political manoeuvring that would not survive a firm rejection of their claims.

3. I took him through the 'matters of substance' but he was unmoved by any of them save the need for talks between the U.K. Government and the newly-elected Government of the Federation in late 1959 or early 1960 on the devolution to the independent Federal Government of the Governor-General's powers to intervene in Regional affairs. At first he said that he thought it most unfortunate that there should have to be another Conference and said that similar problems had been settled in Malaya. I said that Malaya had had to have a 'conference' on the eve of independence; but he said that we had been having a series of conferences for years past and we ought to be able to get most of the answers worked out in advance. Eventually he agreed that there would inevitably have to be a meeting of Governments—and we agreed that 'Conference' (with its connotation of delegates and advisers and all the other paraphernalia) might be a misleading word.

4. He was prepared to be convinced that the mere mechanics might delay matters. (He has told Stallard that it will be quite all right if the Independence Celebrations are held in August, 1960, so long as 'the thing dates from April 2'.) And he has asked for my help in getting out the list of all the things that will have to be done, the list that he wishes to discuss with the Secretary of State. But he was insistent that we here and the authorities in the U.K. ought to do everything we could to see that as much as possible was ready by April 2, 1960.

5. I then returned to the matters of substance. He said, 'Quite frankly I know that we are going to have trouble after independence. Personally, in my own heart, I know that this country is not ready for it. But we will have to be ready to deal with the trouble. And it is no use Britain saying that we can not have independence because we shall not be 100% efficient and 100% free from trouble. Malaya was fighting

against Communists inside her own country—but Britain gave her independence. There is great goodwill towards Britain here now but it will be lost if there is any holding back now.' There are times when Abubakar's emotions are clearly mastering his intellectual processes, but this was not one of them. He was quiet and even cheerful but he said, 'I am committed to it now and I must work for it and you must help us.' He talked at length and what he said just amounted to, 'We are going to be given independence and the sooner we get on with it the better. We shall be no nearer ready for it by the end of 1960 than we are at the beginning—we may be farther away. We shall have trouble with all these reports and the changes and so forth, but we shall just have to get on with it.'

6. Trying a different approach, I asked him why he personally wanted independence. Did he want it on 'philosophical' grounds? 'Better the ragged shirt and trousers of independence than the warm blanket of colonialism'? He laughed heartily at this and said he believed none of it. Indeed, for himself, he knew that this country was years away from being ready for independence; but he was a politician, he had accepted the office of Prime Minister charged with the task of securing independence by April 2, 1960, and he must do all that he could to achieve that or he would consider that he had personally failed those who trusted him. I asked him why he had changed his mind about independence in March last year. I reminded him how the previous Secretary of State had been principally concerned in 1953 and 1954 to make the North understand that he would not 'sell them down the river', how British officers had felt that they owed a duty not to have the North hustled along too quickly and then he (not without equivocation) and Ribadu (wholeheartedly) had suddenly come out for self-government in 1959 in the famous debate of last year's Budget Meeting. He said, 'I did not change my mind. I committed myself wrongly.' His story was that he had come upon 'some of his colleagues' in his own, Minister of Transport's, office, working out some resolution on self-government; the Sardauna had been in Lagos the day before and Abubakar was assured that the Sardauna had seen the resolution and had agreed with it; he had been much surprised at this but had accepted it as the truth and had taken part in the arrangements for the revised resolution; only after he had publicly committed himself fully did he learn that the Sardauna had had no knowledge of what was being done. I asked if Ribadu had deceived him and he did not deny. I asked him what Ribadu was working for. He said, 'He is a very interesting man—he loves—' (and here there was a twisting gesture of the hands). I have not checked back on this story, to see what dates we first considered the self-government resolution in Council and when the Sardauna was here and so forth: that is pointless now. The important point is that Abubakar considers himself, as Prime Minister, committed to self-government as early in 1960 as possible and is unlikely to be moved from that goal by anything but the hard pressure of unchangeable facts—certainly not by debatable questions about the extent of progress between now and then.

7. I asked him why there was general Northern support for Federal self-government when the matter was debated last year. Did the Emirs think that it was a means of preserving their power from democratic inroads? He said that the majority of the Emirs were clamouring for Nigerian independence before the House of Representatives debate. He had had to tell them what self-government meant. It meant that the Government in Kaduna, made up of politicians and headed by a Governor who might himself be a politician, 'son of nobody', would rule. The politi-

cians would make and unmake Emirs. The politicians could depose an Emir. They could even deport him. But the Emirs did not believe what he said. I asked whether there might not be good ground for their belief that they could reassert their power. He said, 'No. For generations our people have been accustomed to obedience to authority—but authority that has the power and that the people can see has the power. The Emir of Kano is a great man but he will never rebuild his wall. If the Government in Kaduna sent a few policemen to surround the Emir's palace he would be finished. He could be deposed and there would be no trouble. The people would see where the power was. He who controls the Police and the Army has the power.'

Minute on 430

Mr. Eastwood

1. I agree to Draft letter below to Sir R Grey.
2. The Governor General does not think that Awolowo will stick to his no compromise line on new states. He thinks he will stage a walk out at the Conference & then return a day or so after.
3. I shall refuse, on Independence, to add anything to what I said last time,² about making a statement in reply to a Resolution after Jan. 1960 (see also 8 on this minute)
4. The fact that the Central African Federation Conference will probably be in Nov or Dec 1960 still remains a greatly added difficulty. Please keep in touch with Mr. Gorell Barnes on this.
5. I will see Abubakar and Sardauna if they come early, but I hope not as far ahead as 2 weeks before. The G.G. will come about the 20th Sept.
6. I spoke to the G.Gen about the *certainty* that the Minister of Defence will raise the question of hiving off an enclave to remain as a Gibraltar under British *Sovereignty* after 1960. The Governor General thought that we could get by Treaty certain rights at Kano, but that these might be of little value if we wanted to use the aerodrome for say war with Saudi Arabia. But he added it wd. even be difficult *now* to use it for that purpose. But Lagos & Kano aren't the only places & whatever may be thought of the wisdom of sticking on such a matter *it is imperative* that we should consider now where such a Gibraltar for air purposes should be sited. So we must discuss this very confidentially with the M. of Defence. It will save endless trouble later to have thrashed this all out in plenty of time. I know all the political & psychological disadvantages but the exercise must be carried out. *Calabar* being very loyal might be such a place.
7. There is also the point Mr Eastwood makes of a Cabinet paper bringing my colleagues up to date.³

This for information should be circulated *before* the House rises at the end of *this* month.

8. The G.G. while agreeing that I should not add on Independence to what I said last time, thinks it will help to keep Abubakar sweet if we do some preparatory work on getting Orders in Council etc started—and he does some too.

A.L.B.
13.7.58

² See 409.

³ See 434.

431 CO 554/1695

10 July 1958

[Revenue allocation]: minute by C G Eastwood summarising the proposals of the Raisman Commission

[The Raisman Commission to examine the allocation of revenue between the regions (see 409) and between the regions and the centre reported in June 1958: *Report of the Fiscal Commission for Nigeria, Jeremy Raisman Chairman* (Cmnd 481, 1958). The recommendations of the commission were accepted by the 1958 constitutional conference.]

I think you will already have received a roneo'd copy of the Report of the Fiscal Commission. It is now being printed and will be ready for publication towards the end of the month.

I do not suppose you have yet had time to read it carefully yourself but it strikes all of us as an extremely clear and sensible report which should provide a good basis for the distribution of Nigerian revenues for many years to come.

The report recommends that the Federal Government should retain the general power to tax imports and exports and impose excise duties. The proceeds of export duties on produce (excluding tobacco) should go to the Regions. There should be a Federal import duty on motor spirit at a level agreed by all Governments, the proceeds being distributed to the Regional Governments & they would be able to impose additional sales taxes on the quantities consumed in the Regions. Duties on tobacco should be vested exclusively in the Federal Government but the proceeds should be distributed in full to the Regional Governments. The Federal Government should have the sole power to levy taxation on beers, wines and spirits and should retain the proceeds. The Fedl Govt shd retain 70% of the proceeds of all import duties other than those mentioned above. The remaining 30% shd go to the 'Distributable Pool' (see below). The Regions should retain basic jurisdiction over personal income tax whether of Africans or of non-Africans (at present this concerns only Africans) but there should be co-ordinated arrangements for the management of income tax and the differences in tax rates and allowances should be kept to a minimum. Taxation of companies would remain with the Federation and proceeds be retained by them. Distribution of mining royalties and rents should also be Federal but 50% of the royalties and rents from mining minerals should be passed to the Region of origin, another 20% being retained by the Federal Government, the balance of 30% becoming part of a 'Distributable Pool' (see below). This is an important change from the present arrangement under which all mining royalties though collected by the Federal Government are returned to the Region of origin).

The Commission reckon that these recommendations would leave the Regions with some £6 m. or £7 m. a year less than at present. To allow for reasonable expansion the Commission think they should have up to about £8 m. in 1959/60 rising perhaps to £9 m. two years later. They recommend that to provide this revenue there should be a 'Distributable Pool' to be fed by 30% of the mining royalties and rents (as above) and 30% of import duties other than motor spirit, diesel oil, tobacco and liquor. This Pool should be allocated to the Regions in the proportion of North 40, West 24, East 31 and Southern Cameroons 5. The net result would be that the West would be at least as well off as at present, the North and the East rather better off and the Southern Cameroons substantially better off—so much so that they will

now be able to balance their budget (a very desirable consideration). The Federation will, they think, still be left with enough to carry out its responsibilities.

The new scheme should come into force on the 1st April, 1959, and from time to time the Federal Government, after consultation with the Regional Governments, should appoint a Fiscal Review Commission to review the distribution of the proceeds of mineral royalties and rents, and the size, composition and distribution of the Distributable Pool.

In the current year, because the derivation principle has applied unfairly in the past to the Northern Region, the Federation should pay them an extra £500,000 from reserves.

This is a very bald summary of the Report which we have not yet really studied here. At present my only doubt is whether it leaves the Federation with quite enough.

It is suggested that the Secretary of State should now write to Sir Jeremy Raisman thanking him for the Report. We have also had from him a letter to Sir John Macpherson (at No. (39)) in which he says very nice things about his colleagues including Mr. Phillips of this Office. I submit a draft letter of thanks to Sir Jeremy which also acknowledges the letter at No. (39).

432 CO 554/1541

17 July 1958

[Minorities]: minute by M G Smith on the report of the Willink Commission

[Extract]

[The Willink Commission published its report in mid-1958 after an exhaustive series of hearings across the country: *Commission appointed to Enquire into the fears of Minorities and the Means of Allaying them. Report of the Commission* (Cmd 505, 1958). It rejected demands for the creation of new regions but recommended strengthening safeguards for minorities throughout the federation, not least through incorporating provisions on fundamental rights in the constitution and the reinforcement of the federal nature of the NPF. The rejection of new regions caused considerable dissatisfaction, with Awolowo describing the report as 'astonishing' and Stapledon noting 'there will be palaver over this', with reference to the rejected proposal for a COR region; Northern leaders however welcomed the fact that the North was not to be broken up with the creation of a Middle Belt Region and that the Ilorin-Kabba boundary would not be changed, subject to a possible plebiscite.]

Proof copies of the Report of the Minorities Commission were sent yesterday to the Nigerian Governors.

We have asked for their replies by the 24th July, and must let the Minorities Commission have the Governor's comments, and our own, by Monday morning, the 28th July.

2. The Report (copy in envelope opposite) is a very careful and detailed examination of the many problems that were presented to the Commission. The Commission began to hear evidence in the Western Region, and apart from their first brush with the Government's representative there, Chief Williams, they seem to have had no difficulty with any Nigerian authority, and to have received an enormous mass of evidence from every conceivable source, small and great. As a result, the Report, quite apart from the value of its recommendations, is likely to be a document of permanent value and interest as an analysis of the day-to-day problems of an emergent democracy. Many of the problems catalogued, as the new balance of forces

in Nigeria takes the place of the old pattern of rule by Chiefs and minor Kingdoms, could no doubt be paralled in many under-developed countries throughout the world.

3. From the first the Commission ruled that they were concerned, not with political minorities (which tomorrow might become political majorities), but with ethnic and religious minorities which are necessarily of a more permanent nature. But their hearings of the fears and grievances of these latter minorities still opened the door to the expression of a great variety of complaints, fears, and accusations on economic, social, and political grounds.

4. The pattern of the Report follows the travels of the Commission. They began in the West, and went from there to the East, then for a brief visit to the Southern Cameroons, and finally to the North. They returned to Lagos in between these Regional visits for some general consultations. They decided that they should not be concerned with the Southern Cameroons, since it is a Trust Territory, not necessarily to be regarded as a permanent part of the Nigeria into which they were to enquire. But in dealing with the Northern Region, they necessarily take account of the Northern Cameroons, parts of which, as associated with Adamawa and Benue, are concerned with the Middle Belt problem.

5. Part II, pages 6–33, deals with the West. Here the Commission were confronted with all the expected questions—fears of Yoruba domination, wistful memories of the departed glory of Benin, the potential clash of Christian and Muslim, with its effect on education, and a whole series of specific allegations: discrimination in Public Service appointments and in scholarship allocations, discrimination in economic affairs, ‘strong arm’ interference by squads of the Action Group, interference by the Regional Government in Local Government affairs, the bringing of excess influence to bear on the Chiefs, and gerry mandering with Parliamentary constituencies. All these questions are carefully analysed, and are mainly disposed of with suitable comment, which is often more favourable to the well-documented case of the Regional Government than might have been expected. This comment applies even to the accusations of gerry mandering, on which at the time we received comments from the Regional Governor, (who strongly remonstrated with the Executive Council), which were distinctly adverse to his Ministers’ actions. In the course of these comments, the Commission (page 20) helpfully recommend the establishment of a single Electoral Commission for Nigeria, to be responsible for both Federal and Regional elections.

6. The Commission record (page 28) that virtually all the Minorities appearing before them could think of nothing but a separate State, as a remedy for the dangers they feared. But in the West, as elsewhere, the Commission reached the conclusion that, on careful analysis, while there might be general arguments in favour of a new State or States, the area of such States was most difficult to define, and most proposals for new States put to them would themselves create further substantial minority problems, as the areas included minorities of other tribes who would be anything but happy under the proposed new arrangements. Because of this, the Commission did not find itself forced to examine in great detail the question of the viability of particular new States, but they offered the general comment (page 87) that the small new States proposed cannot expect to command the resources, either in money or trained manpower, of the existing Regions, and so would at best be anomalous second-class bodies, whose powers would necessarily have to be less extensive than

these of existing Regions. In the circumstances, the Commission concluded both in the West and throughout the rest of Nigeria that no case for the creation of a particular new State was strong enough to be sustained, and that, as the Commission's terms of reference contemplated, measures short of the creation of new States were the best that could be proposed to safeguard the interests and allay the fears of minorities.

7. The situation in the East is examined on pages 34–51. Here the same kind of complaints and accusations as in the West are made, but the fear of Ibo domination with Zik as the Ibos' 'tribal champion' stands out more starkly than the fears of Yoruba domination expressed in the West.

8. There are a few variations on the fears expressed in the West. In particular the Regional Government is charged with contempt of Parliament and Parliamentary procedure, and with the diversion of public money to bodies and corporations which are mainly its own creatures or close supporters. On page 41 the Commission offer in comparatively moderate terms criticism of this known abuse, which was of course much brought to notice by the proceedings of the Continental Bank Enquiry. The Commission also received complaints of the over-concentration in Government hands of powers over Local Government bodies, and over County and District Courts. There were further complaints of 'strong arm' groups of NCNC supporters. There is nothing new or unexpected in all this.

9. Again, the Commission listened to detailed proposals for a whole group of new States. These proposals, as expected, were for a COR State (Calabar–Ogoja–Rivers Provinces), and for all the minor variants on this one large proposal, i.e. the creation of separate Rivers, Ogoja and Cross River States (the Cross River State is simply the Calabar State proposal writ large). The Commission make a pointed reference to the spoiling tactics of the NCNC in seeking to confuse the issue over these States. Their conclusion is that there is no general support throughout the area for a COR State, and not much for the proposals for Ogoja or Cross River States, but that there is considerable support, though not an overwhelming case, for a Rivers State, consisting mainly of the Ijaw people, and taking in from the Western Region the Western Ijaws. The population of this area is about 900,000 (compared with about 800,000 in the Southern Cameroons, which is likely to become a full Region). The Commission's conclusion about this, the strongest case for a separate state presented to them, is that the area is both comparatively small and very poor, consisting as it does mainly of the delta of the Niger, and that it should, be regarded rather as a special development area, requiring particular economic assistance, than as an area fit for, and capable of maintaining a separate Government of its own. Later in the Report the Commission advance proposals for a special solution of the problem.

10. The problems of the North are divided into two sections. The general and Middle Belt problems are dealt with on pages 52 to 73 and the Ilorin/Kabba Boundary Dispute is dealt with on pages 74 to 86.

11. Again the Commission has brought up nothing new but it has been made to traverse carefully much familiar ground. The Commission found that, far from there being evidence of economic discrimination against the Middle Belt areas, the evidence was rather the reverse and this is what we have always understood to be the case, since the openness to education and the poverty of the Middle Belt areas has tended to suck in a considerable proportion of the Region's resources. The Commission confirm our understanding that there remain deep historic fears of the

return, after British withdrawal, of domination by Fulani Emirs observing the letter of Islamic Law and Custom, including perhaps an extension to non-Muslim areas of Islamic restrictions on the liberties of women. There are also familiar complaints concerning the partiality of N.A. Police who tend to think of themselves as the Emir's bodyguard maintaining his personal authority against all comers, and of the dangerous fusion in the Emir and his Court of both executive and judicial authority.

12. There is an interesting reference on pages 61 and 62 to the fears expressed that Muslim influence in the North might lead to an orientation of Nigerian foreign policy contrary to the interests and general wishes of the country. In commenting on this the Commission refer in what I think is an over simplification of the problem, to the need for Muslim opinion to be expressed through the normal Parliamentary majority before it could become effective.

13. In both these and other cases the Commission seem to me to take a very optimistic and perhaps rather superficial view of the likelihood of the niceties of democratic processes being observed in the early years of Nigerian independence.

14. The Commission make the expected references to fears of religious intolerance and after some examination of the problems presented by the incidence of Muslim Law they make useful though somewhat minor 'suggestions' (pages 70 to 71) for improvement. These 'suggestions' they say they are content to leave to the Regional Government to consider. I think that this passage of the report might well be strengthened and I suggest we might invite the Minorities Commission to *reconsider* the passage.

15. On the long standing question of a Middle Belt State the Commission (page 72) have reached the conclusion fore-shadowed by Abubakar at the 1957 Conference—that there are substantial pockets of opinion in favour of such a State, but that these pockets do not add up to a contiguous area capable of forming a State. The pockets (again as expected) are found in Southern Zaria and in parts of Plateau, Adamawa, Benue and Kabba. The Commission in these circumstances had little difficulty in reaching the conclusion that the case for a Middle Belt State had not been made out.

16. It is a little curious that in the catalogue of complaints presented to it the Commission received no complaint about the Northern decision that wherever possible southerners would be excluded from the Public Service. Had the complaint been made the Commission might well have ruled that it could not be classed as a 'minority' complaint.

17. There is a very full examination of the history which has led to the present state of dispute between the North and the West over Ilorin and Kabba. The findings here (on pages 84 to 86) are likely to provoke some of the liveliest controversy of the resumed Conference. The original findings have been modified as a result of a discussion which Mr. Eastwood and I (with Mr. Emanuel's agreement) had with the Commission. I understand that the Commission are writing separately to the Secretary of State to explain the change in their recommendations but it may help to record the differences here.

18. The report originally read (paragraph 20) that the Commission could not recommend a plebiscite 'except with the agreement of both the Governments concerned. This would not be easy to obtain'. This passage now reads 'unless there was a considerable measure of agreement in Nigeria that this was the right course to follow'.

19. Paragraph 26 is also changed. It read originally 'If the two Governments cannot reach a friendly decision to apply a test of this nature we can only recommend that the boundary should remain unchanged although in that case we fear that the Northern Region may continue to find the area an embarrassment'.

20. The second recommendation in paragraph 27 originally read 'that a plebiscite should be held only if the Governments of both the Northern and Western Regions agree that it should be held and that it should be binding'.

21. The changes, therefore, put a general onus on the Conference of reaching agreement about a plebiscite rather than as before requiring the specific agreement of the two Regional Governments, a requirement which would automatically have given a veto to the North.

22. The essence of what Mr. Eastwood and I tried to say to the Commission was that the original recommendations put the Secretary of State on the spot, since he would have been forced to try to mediate between a West insistent on a plebiscite and a North adamant in refusing it; whatever happened the Secretary of State would be bound to injure one party or the other. We, therefore, suggested that the Commission might, in the light of this likely situation, consider either recommending a plebiscite or recommending no change without reference to a plebiscite. In either case this would be a firm recommendation which the Secretary of State could fairly support without appearing to victimise either side. The amended recommendation is I think a distinct advance in that no veto is provided for and the question is left open for discussion. But there will still be fierce and bitter discussion and a possible walk out by one side or the other. We shall have to consider with the Governors with the greatest care what advice should be given to the Secretary of State about his attitude to this question. . . .

25. Principle (12) at the top of page 94 is that 'it should be the policy of the Regional Government to unify gradually the local police forces within the Region beginning with the smaller and less efficient local police forces'. This is expanded in paragraph 25 (c) (a paragraph which sets out no principles but the rough outline of a scheme for applying them). This principle is also summarised on page 105 as 'that it should be an object of policy gradually to unite Native Authority Police and Local Government Police into a Regional Force'. These words taken together blur the picture of a single police force ultimately responsible to the Federal Government and suggest that there might be separate Regional Forces for which the Regional Governments would be responsible. I think we might ask the Commission to *reconsider* this wording.

26. The Commission's actual scheme for a single force contained in paragraph 25 on pages 94 and 95 is not I think a serious starter. The scheme seems to derive from Mr. Mason's experience of the Indian Police and hinges on the creation of a uniform cadre of officers. This concept of unity through a single corps of officers may well have had validity in an India where loyalty could still be to a unifying British Raj, but the essence of our problem in Nigeria is that this unifying influence is about to be withdrawn. I think in any case it is too late in the day to hope in the very limited time at our disposal to create unity through such a concept. But the scheme is not in itself a recommendation and I think we need not question it to the Commission in view of the tentative way in which it is represented.

27. The other major proposal of the Commission (pages 95 to 96) is for the creation of a Special Area to deal with the problem of the Ijaws and their swampy

habitat. It is proposed that there should be a new concurrent subject 'the development of Special Areas' and that a Special Area Board should be set up by statutory provision with representatives of the Federal Government and the Eastern and Western Regional Governments together with representatives chosen by local bodies from the people of the area. The Board should be concerned in the broadest sense with the economic (and apparently to some extent the social) development of the area and should be financed by either Federal or Regional funds dependent mainly on whether the subjects dealt with were originally Federal or Regional ones. The Board would have no executive authority apart from ability to allocate its funds for the execution of particular schemes of which it approved. It would be for the Federal or Regional Governments to carry out these schemes. The Board would submit annual reports to these Governments which would be discussed in the Legislatures concerned, and if it did its work well it should be possible for the Board to be wound up within, say, 10 or 12 years.

28. We have already put to the Minorities Commission our doubts about this scheme. The scheme itself is very much an outline and it is not at all clear how the Board would acquire funds and what would be the criterion of its acquiring and spending funds; what control, if any, it would have over the expenditure it authorised and generally what influence or authority it could hope to exert, bereft as it would be of staff of its own, of general executive authority of its own, and of any political pull or influence apart from the very indirect influence of the voting power of the Ijaw Areas. Since the essence of the problem is that this voting power has already proved quite inadequate to protect the area from underdevelopment and neglect, it is difficult to see how this same voting power could support the Board. The likelihood seems to be that if the Board were ever to be set up it would be a political football in constant play between the three Governments concerned supported for its own ends by one of them and as a consequence opposed and obstructed by the other or others. I hesitate to describe the recommendation of so distinguished a commission as half-baked but it is difficult to find another suitable adjective. I cannot believe that this Board will be created or that if created it will survive as a serious and useful contribution to the solution of a problem which the Commission recognise genuinely exists. It seems most likely that since the Commission have so clearly recognised the existence of the problem the recommendation concerning the Board will be thought of both by the people of the area and by the Action Group as the germ of the acceptance of the concept of a separate State, and that we shall have this concept thrust upon us forcefully at the resumed conference by Young Man River and his supporters including all the big guns of the Action Group.

29. I do not, however, think we can further ask the Commission to reconsider so fundamental a recommendation. It will have to see the light of day and we shall have to do the best we can with it.

30. Following on their recommendation for a Special Ijaw Area the Commission propose (pages 97 to 98) the creation of minority areas beginning with the Mid West Area and Calabar. These areas should be served by special Councils (it is recognised that the West have already created a Council for Mid West affairs on the lines of the Council for Wales), who should be concerned with drawing attention to and generally promoting activities beneficial to the area and who should produce annual reports for debate in both the Regional Legislatures concerned and the Federal Legislature. The argument for debate in the Federal Legislature is in paragraph 34. The argument is

that the neglect of such a minority area might create a threat to peace requiring the ultimate intervention of the Federal Government so that the Federal Government has a direct law and order concern in what goes on. This argument proves too much; neglect anywhere and misgovernment anywhere may lead to a threat to peace so that on these grounds the Federal Government could claim to be concerned with every act or failure to act by a Regional Government whether or not it concerned a minority area. I do not think that this faulty reasoning will be acceptable to the Conference or will help the general standing of the Commission's report. I suggest that the Commission might be asked to *reconsider* this paragraph. In suggesting this we might point out to the Commission that in seeking to guard minority areas by giving their affairs this sort of publicity they would be more likely, if their recommendation were accepted, to bring about more bad blood between the Regional and Federal Governments. We know the N.P.C. and the N.C.N.C. hope to combine to win the next Federal elections. A Federal Legislature dominated by these two parties might enjoy itself only too easily under the cloak of Parliamentary privilege in abusing and making unsubstantiated allegations about the conduct of affairs by the Western Regional Government in the Mid West Area.

31. The Commission devotes pages 98 to 104 to the problem of fundamental rights. We sent to the Commission before they drafted their section on this problem the draft of our Conference paper on it. The Commission told us (and it is clear from the text) that they drew freely on our draft. This comes out a little curiously in the text. The Commission devote two short paragraphs 37 and 38 to an explanation of why they are concerned with provisions about fundamental rights. Then without further preamble they set out six pages of specific recommendations unsupported by any detailed commentary. The section inevitably reads very abruptly, but I hope that in acting with so helpful an intention the Commission have not in any way queered our pitch by disclosing our hand in detail.

32. We are due to send draft clauses about human rights for insertion in the Nigerian Constitution to the Nigerian Governments before the resumed Conference. We propose doing so shortly after the publication of the Commission's report. It now looks as though we shall very largely be sending a copy of this section of the report. Our intention was to add to these draft clauses brief explanations of a number of proposals in them which we have ourselves devised to meet Nigerian circumstances. One of these, contained in Clause 15(iii) on page 104 of the report, reads, without explanation, rather strangely. The North have already told us that they are most anxious to maintain the existing restrictions on the grant of land and on employment in the Northern Public Service. Because of the comparative backwardness of the North and the strength of religious feeling there we contemplate recommending that the North should be allowed for a limited number of years to retain these restrictions. We recognised that in making this recommendation we should lay the Conference open to demands for similar concessions by the other Regions so that this part of our hand would have to be explained and played with the greatest care. But the commission without explanation have included this proposal in the sub-clause referred to. I think we might ask them to *reconsider* the inclusion of this sub-clause.

33. It is very early days to venture on any general judgment of the report and on any assessment of what its reception will be. But I think it will generally be regarded as a very competent and detailed analysis of the existing problems of minorities.

34. Furthermore it has done much good in the negative sense, as we hoped it would, by disposing of a good many of the accusations and in particular a good many of the flimsy cases for new States which had developed somewhat lightheartedly over the last few years. The effect of disposing of extravagant complaints and extravagant demands must be the very healthy one of forcing people in Nigeria to consider the realities of their situation and to make up their minds to learn to live with the majority and minority groups and parties around them. If the Commission is found to have helped substantially towards the creation of a state of mind determined to live in something more like unity then it will have done much.

35. On the positive side it would seem on first perusal that commendation is less easy. It may be that the Commission have placed too much emphasis on their role of conciliator rather than their role of arbiter and as a consequence have drawn back from making recommendations forthright enough to lead to strong dispute and disagreement. In consequence they have made recommendations concerning the incidence of Muslim Law which almost certainly fall short of what is required. They have made proposals concerning the Ilorin/Kabba Boundary dispute which are indefinite enough to leave the whole situation open and they have made recommendations for a Special Area and Minority Areas which are unlikely to go far enough either to satisfy or to protect the minorities concerned but which may well be sufficient, if they are implemented, to stir up major strife among the Governments.

433 CO 554/2129

28–31 July 1958

[Political situation]: minutes by M G Smith, A Emanuel, Sir J Macpherson, and Lord Perth on the implications of the NPC-NCNC alliance

[The alliance between the NPC and the NCNC that emerged in this period and that went on to fight the 1959 federal elections, was complicated by the split in the NCNC between Azikiwe and K O Mbadiwe, federal minister of commerce and industry, supported by several leading figures in the party such as Kola Balogun and Adegoke Adelabu; the split had personal, political and ethnic causes. The division had worsened during 1958 and led to calls for Azikiwe's resignation at the June 1958 meeting of the NCNC Executive Committee, in the so-called 'Zik must go' crisis, following which Mbadiwe, Balogun and others had been expelled. They established the NCNC Reform Committee which developed into the Democratic Party of Nigeria and the Cameroons; the party fought the 1959 elections as a de facto ally of the AG but all its candidates were defeated. The forming of the NPC-NCNC alliance did much to help re-assert Azikiwe's leadership within the party.]

Mr. Emanuel

The Manchester Guardian article opposite brings into the open an apparent alliance between N.P.C. and the N.C.N.C. which previously has only been hinted at.¹

¹ Earlier Eastwood had commented on this alliance that 'I am not sure all this augurs very well for Nigeria after independence. If the N.P.C. and N.C.N.C. won the 1959 elections . . . the Federal Government would have the advantage of Abubakar's statesmanship but not many other men combining experience and moral or intellectual stature, while the two most powerful personalities in these parties will remain as at present in the Regions, pulling the Federal strings from a distance. The Action Group who have shown themselves far the best administrators, will be in opposition. . . . The other thing which has struck us is the extent to which apparently Abubakar takes his cue from the Sardauna. Perhaps the Sardauna is not far wrong in calling him "my prime minister"', (CO 554/2129, no 119, Eastwood to Grey, 21 July 1958).

Last month at the Sardauna's invitation Dr. Azikiwe visited him in Kaduna and it appeared at least likely that the visit had led to an alliance between the parties concerned to fight next year's Federal elections not openly as allies but with the minimum of inconvenience to each other and with the object of creating a coalition to exclude the Action Group from power.

This alliance was specifically confirmed by Sir Ralph Grey's record below (117) of a talk he had with the Prime Minister. It would seem that the N.P.C. are not confident of their ability to win an outright majority at next year's election and have decided that they must choose one of the other major parties as allies. They have chosen the N.C.N.C., not because they have lost their dislike for it but because internal weakness and division makes it an easier ally than the Action Group. The N.P.C. will at least hope to manage the N.C.N.C. while they might find themselves managed by the big guns of the Action Group. Furthermore, while in the past the N.C.N.C. and the Ibos who support them have been a threat in the North, over the past 12 months the major threat has come from the considerable organising ability and financial resources of the Action Group. This has led to the troubles in Ilorin and to the general Action Group campaign in alliance with the United Middle Belt Congress to win seats throughout the Middle Belt areas.

What we have not had confirmed is the statement in the last paragraph of the Manchester Guardian article that Dr. Azikiwe proposed at next year's elections to go to the centre. The inertia he has displayed these last two years would suggest that this is unlikely. But he still might be tempted there by the prospect of the power at the centre that independence will bring. No doubt the N.P.C. will continue to provide the Prime Minister in the person of Abubakar, but the latter's popularity and position in his party is by no means secure (see the Deputy Governor North's letter at (41) on WAF/103/3/01 below). Dr. Azikiwe's crumbling fortunes may well have been restored by this assurance of power following next year's elections and he may be looking forward to taking his place on the African and world stage beside Dr. Nkrumah, if not as Prime Minister at least as Foreign Minister of Nigeria. This might give him just the scope for vague but popular speech-making that he most enjoys, divorced from the detail of internal administration which clearly he dislikes.

The prospect is most depressing. The human resources of Nigeria are desperately limited. Nigeria is much smaller than India or Pakistan but very much larger than the other units, Ceylon, Ghana and Malaya that have received independence within the Commonwealth since the last war. In India and Pakistan the main political parties were led by men of outstanding ability while in both countries there were a considerable number of men of education and experience in public affairs. Even in little Ghana the principal Ministers, Messrs. Nkrumah, Gbedemah, and Botsio, are men of proven ability and although the local public service is thin on the ground it contains in the higher posts at least 2 Africans of considerable ability, Messrs. Adu and Chapman.

The position in Nigeria is markedly different. In the East apart from Dr. Azikiwe himself, who prefers to avoid the transaction of business, virtually none of the present Ministers are anything like equal to their jobs—not because there are no Ibos of ability but because Dr. Azikiwe cannot tolerate them around him. In the North only the Premier and the Minister of Finance, Makaman Bida, have any real experience of public office; most of the other Ministers would not survive for a day without overseas support.

In the Federation the Prime Minister himself has both quality and integrity. Chief Festus (with overseas officers to do the work) makes a bluff and cheerful Minister of Finance. The 2 Action Group members are competent and Dr. Mbadiwe² manages to get by.

Only in the West is there a team of Ministers with genuine experience and ability able to guide their civil servants and to direct the business of the Region, but these men and their colleagues now at the Centre are to be excluded from Federal office.

The position is no better so far as African civil servants are concerned. There are literally no Northerners of any seniority or ability so that if our people go there will be no one to continue their work. Miscellaneous contract officers might no doubt come in from a number of countries and might have the time of their lives in telling inexperienced Northern Ministers what they wanted to hear and nothing more. There are a very few senior African officers of any value in the East and the best of these, Udoji, has recently been handsomely and publicly victimized by Dr. Azikiwe & has asked to retire with compensation. In the West the local civil service is in better shape and has 2 men of considerable ability in Adebo and Biobaku. In the Federation there are a number of promising young Nigerians but very few senior ones.

However optimistic one tries to be it is difficult, taking things at best, not to be greatly concerned at the prospect of independence in about two years' time for so large and divided and inexperienced a country as Nigeria. Now that it seems likely that the best brains and experience in Nigeria—the leaders of the Action Group—are to be excluded from power, our concern must be much greater. To apply a famous saying to Nigerian independence—I don't know whether it will frighten the Nigerians, but by Heaven it frightens me.

M.G.S.
28.7.58

Sir J. Macpherson

You will wish to see the recent developments, involving the split in the NCNC and the suggestion of an alliance between NPC and Azikiwe. The SoS has also asked for comment (124).

I do not think I can do better than draw your attention to Mr Eastwood's letter³ at 119 & related correspondence and the first four paras of Mr Smith's minute above.

There is clearly room for misgivings but as Mr Eastwood has said, so many things may happen before the elections. It might also be added that political combinations come and go but we cannot hope to influence events very much in a country which is already self governing in all internal matters that count.

A.E.
28.7.58

Secretary of State (if time!) (through Minister of State).

You asked for comments on 124. Please see the enclosures to 117 and 118—particularly paragraph 8 of 117/E and the last sentence of 118/E, also minutes of 28/7.

² Smith added in the margin: 'Now sacked at Zik's behest.'

³ See footnote 1 above.

I am usually optimistic about Nigeria but I confess that these and other recent developments have caused me to share to some extent Mr. Maurice Smith's gloom.

It would have been very easy for the Action Group to make friends with the N.P.C. at any time in the past six or seven years. I tried very hard to try to persuade them to do so, and also to back the 'good' Easterners who were then on the Council of Ministers and who broke with Zik (Nwapa Arikpo and Eni Njoku). The Action Group utterly refused, and played straight into Zik's hands when they caused the crisis in 1953—at a time when the North, the West and the good 'East' were all opposed to Zik and his disreputable crowd. The N.P.C. were not blameless in failing to play with the Action Group but they had ample proof of the latter's faithlessness. At that time the Action Group was chauvinistically Yoruba. I do not know whether Awolowo was even then planning for power in the Action Group throughout Nigeria. He is now becoming statesmanlike but he is now definitely planning for such power, and will invade the East and the North in the Federal elections.

I ruefully agree with the last sentence of Mr. Emanuel's minute.

J.S.M.
30.7.58

Gloomy—but is there nothing we can do? The Constitutional Conference will be interesting!

P.
31.7.58

434 CO 554/1548, no 18, C(58)171 29 July 1958
'Nigeria': Cabinet memorandum by Mr Lennox-Boyd on the current situation

The Nigeria Constitutional Conference, which adjourned in June 1957 to await the reports of certain Commissions to whose establishment it had agreed, will resume in London on the 29th September.¹ Its composition will be much as before: there will be 70 to 80 Nigerian delegates and advisers broadly representative of Nigerian opinion as a whole. The Conference is likely to last most of October.

The 1957 conference

2. At the 1957 Conference I agreed to the creation of an office of Federal Prime Minister and to an all-Nigerian Federal Council of Ministers presided over by the Governor-General, whose members would be appointed by the Governor-General on the Prime Minister's recommendation. The United Kingdom interest was secured by the agreement of the Conference that the Governor-General should retain until independence his general reserved powers to act without consulting his Ministers or against their advice, and his responsibility, in his discretion, for external affairs and defence, for the use of and operational control of the Police and for the Federal Public Service.

¹ This memorandum was considered at the Cabinet meeting of 11 Sept 1958, CAB 128/32, C(58)71, minute 5, see 449.

3. It was also agreed, in fulfilment of the undertaking given by my predecessor in 1953, that the Eastern and Western Regions should be granted Regional self-government. This mainly involved the withdrawal of the general reserved and discretionary powers of the Governors of these Regions. Largely because of the obvious possibilities of abuse of power by inexperienced governments I obtained agreement to the distribution of some of the powers previously held by the Governor among independent bodies such as the Public and Judicial Service Commissions, and to the inclusion in the Regional constitutions of safeguards for the integrity of certain other organs of government. It was also agreed that the Governor-General should be empowered to intervene if a self-governing Region threatened the functioning of the Federal Government or the continuance of federation. In addition constitutional changes were agreed for the Southern Cameroons and the Northern Region. The Northern representatives said they did not want Regional self-government until 1959.

The present position

4. Most of the changes agreed were brought into effect last August. The leader in the Federal Legislature of the Northern People's Congress, Alhaji Abubakar Tafawa Balewa, became the first Federal Prime Minister and sought to create a 'national' government to work for early independence by including in his team Ministers from the Action Group, who are the dominant party in the West but weak in the Federal Legislature, in addition to members of the National Council of Nigeria and the Cameroons (N.C.N.C.), the major party in the East, and of his own party, the Northern People's Congress (N.P.C.). The Prime Minister is sagacious and able and relations between him and the Governor-General are frank and cordial. He is openly anti-Communist, he is under no illusions about the difficulties of the task facing both himself and the country, and his policy is likely to be as pro-Western as the narrow Muslim outlook of his principal Northern supporters will allow. (In his party hierarchy he is only deputy to the leader, the vain and pompous Sardauna of Sokoto, Premier of the Northern Region). His Government, however, has been only a moderate success. Because the fortunes of the Federal Ministers are closely bound up with those of the main Regional parties from which they come they have not always found it possible to develop a true Federal outlook, and where these Regional interests have clashed the Ministers have sometimes been content to record disagreement.

5. In the West the grant of Regional self-government has on balance been justified. The Action Group Government, led by the Premier, Chief Awolowo, have proved reasonable and competent administrators and, although with the steady run-down of the cadre of overseas officers there is bound to be some decline in standards of administration the advanced educational programme of the Region should in time provide sufficient replacements. The Premier aspires to national leadership and has to this end formed a close alliance with the principal opposition elements in the North and East.

6. In the East government has seriously run down. Dr. Azikiwe ('Zik'), leader of the N.C.N.C. remains in power as the personification of Ibo tribalism, but his chronic unwillingness to tolerate around him men of independence of mind has brought into being a Regional Executive Council, almost all of whom are nonentities. Some of the Federal Ministers drawn from his party, notably Dr. Mbadawe, have recently lost their

posts through constant but so far ineffective warfare against his personal dictatorship of party affairs. His star may be on the wane. At present he has no serious rival as leader of the Ibos, who are much the largest race in the Region, and although it would be much healthier for Nigeria if his hand were removed from the helm, the time has passed when H.M. Government could take any effective action to hasten this process. He must be left to the disillusionment of his own people.

7. The vast Northern Region is still well behind the others in 'progress'. Two-thirds of its 18 million people are strict Muslims, accepting the authority of their Emirs. Educational progress is still slow and there is no prospect for a generation of the Region being able to replace from its own resources the overseas officers who have served them so well. The North fears and dislikes the more educated Southerners and if they were not economically bound to the Federation would be glad to be quit of it. The Emirs have for the most part recognised that they must come to terms with democracy and support the party at present in power, the N.P.C. The Premier, the Sardauna of Sokoto, is himself of a princely family.

The Public Services

8. Since the East and West became self-governing the overseas officers there have been entitled to retire with lump sum compensation. This will be the position in the North when it attains Regional self-government next year and in the Federal Public Service on the attainment of independence. The premature retirement of experienced overseas officers is the gravest single threat Nigeria faces to the continuance of good government. Sir John Martin visited Nigeria earlier this year to enquire into means of meeting this threat. A White Paper is being published this week setting out the proposals put to the Nigerian Governments as a result of his mission and of their response.² The Federal and Northern Governments have broadly endorsed the proposals and this should go some way to encouraging officers in their services to remain. The East and West contemplate applying the proposals to selected officers only and from these Regions the exodus will no doubt continue. At best and whatever efforts are made, overseas officers in Nigeria are now a wasting asset.

Prospects for the Conference

(a) *The problem of minorities*

9. At last year's Conference the minority parties forcibly represented their fears of exploitation after self-government by the majority parties, with their mainly tribal and religious bases, and pressed for the setting up of separate States of their own. After bitter discussion I was invited to appoint a Commission to enquire into the question. The Commission, under the Chairmanship of Sir Henry Willink, is about to submit its Report, which will be the main item of the resumed Conference agenda.³ It will recommend no new States; some of its proposals are likely to provoke fierce controversy. The Action Group, which seeks national power as the champion of minorities everywhere, will probably express dissatisfaction and continue to fight for new States as a main plank in its platform for next year's Federal elections.

² *Her Majesty's Overseas Civil Service: Statement of Policy Regarding Overseas Officers serving in Nigeria* (Cmnd 497, 1958).

³ See 432.

(b) *The police*

10. Either in connection with the question of minorities or as a separate item there will probably be renewed pressure, which I shall resist, for the bulk of the Federal Police to be divided up into separate Regional forces.

(c) *Fiscal questions*

11. Dissatisfaction over the existing division of revenue between the Federation and the Regions and over the powers to raise revenue led last year to the appointment of a Fiscal Commission. The report⁴ of this Commission, of which Sir Jeremy Raisman was Chairman, is about to be published and will be considered by the Conference. It is unlikely to prove a major bone of contention.

(d) *Self-government for the Northern Region*

12. The Northern Regional Government have informed me that they wish to be granted Regional self-government from the 15th March, 1959. In accordance with my predecessor's undertaking, I am bound to accede to this request. The pattern of self-government in the East and West will largely be followed but because of the backwardness of the Northern Region I shall try—I cannot put it higher—to retain some greater powers for the Governor than those retained by the Governors of the East and West, and to obtain assurances about the incidence of Muslim law and the retention of much of the present structure of the Provincial Administration.

(e) *The question of Independence*

13. At last year's Conference I was pressed by all Parties to agree to independence first in 1959 and then, when this was seen to be impracticable, on the specific date of the 2nd April, 1960. After a series of discussions I gave an undertaking in the following form:—

‘I understand that it is proposed that some time about January, 1960, the new Nigerian Parliament will debate a resolution asking H.M. Government to agree to full self-government within the Commonwealth by a date in 1960 which will have been mentioned in the Resolution . . . on receipt of your resolution H.M. Government will consider it with sympathy and will then be prepared to fix a date when they would accede to the request. We could not at this stage give any undertaking that the date would be the same date as asked for in the resolution, though we would do our utmost to meet the resolution in a reasonable and practicable manner . . . H.M. Government would of course be very much guided in their choice of a date by the way everything was going, by how the two Regions now about to enjoy Regional self-government had taken the strain of this great step forward, and by how the country as a whole had faced up to the problems of minorities, on which a Commission would already have reported.’

The Nigerian delegations expressed their disappointment but did not reject this undertaking and informed me that they would revert to the demand for independence on the 2nd April, 1960. The Prime Minister's ‘national’ government was formed to work for independence on this date and at the coming Conference I shall be under renewed pressure to accede to the date with or without conditions, or at least to go some way beyond the undertaking given last year.

⁴ See 431.

14. I propose to reaffirm last year's undertaking but not to go beyond it. The weaknesses in the North and East that I have described are likely over the next year or two to become more pronounced as overseas officers begin to leave the North after Regional Government next March and as the exodus from the East continues. The 'national' government at the Centre has developed no national outlook or community of interest. I understand that at the Federal elections late next year the Northern People's Congress and the N.C.N.C., (who are normally kept apart by mutual suspicion and by Northern dislike of Dr. Azikiwe), alarmed by the determination and organising ability of the Action Group, are likely to combine to keep the Action Group out of power.⁵ Such a combination would offer no great reassurance for competent or courageous Federal Government. The tribal divisions that remain in Nigeria are so deep that the unity and stability of the country cannot yet be taken for granted. All these are reasons for going slowly. But in view of the decline in the number of overseas officers in post and of the mounting pressure for early independence, the freedom of action left to H.M. Government is small if Nigerian goodwill is to be maintained. I cannot go back on the undertaking I gave last year but it is in my view essential that, before making the final decision to give independence, H.M. Government should be able to assure itself that the new Federal Government elected late in 1959 can properly claim to represent majority opinion in the country and has a reasonable prospect of maintaining the unity and stability of the country.

15. If this undertaking is strictly adhered to it is unlikely, even if all goes well, that independence could come as early as April, 1960. Provided that a competent Federal Government is formed late in 1959 there will need to be final discussions between this Government and H.M. Government early in 1960 and then the drafting and passage of legislation here, so that the second half of 1960 seems the earliest practicable time for independence to come. I expect to have informal talks with the Federal Prime Minister before the coming Conference and I shall discuss this question with him.

The Trust Territory of the British Cameroons

16. The Northern British Cameroons is administered as part of the Northern Region and has always declared itself content so to remain. The Southern Cameroons has its own government which to date has been financially dependent on the Federal Government and has ultimately been responsible to the Governor-General. The recommendations of the Fiscal Commission are likely to give the Southern Cameroons a fair measure of financial independence and their representatives are committed to asking at the coming Conference for full Regional self-government. With Nigerian independence approaching, this small government must quickly learn to stand on its own feet and I propose to agree to a substantial increase in its responsibilities but probably not at present to full internal self-government on the model of the major Regions.

17. Before Nigeria becomes independent the people of the British Cameroons will have to make known their wishes for their future. The United Nations Mission, which is making a regular visit to the British and French Cameroons later this year, is being asked to consider the procedure for consulting the people of the British Cameroons. I hope that as a result of their recommendations there will be separate popular consultations (probably by plebiscite) in the North and South early in 1960,

⁵ See 433.

and that we shall be able to ensure that the choice put to the people is one between joining an independent Nigeria and continuing under Trusteeship pending a final decision about their future. There is little doubt that the Northern British Cameroons will choose to stay as part of the Northern Region. The choice of the Southern Cameroons is less certain. The parties supporting the present Government are in favour of becoming a separate Region in an independent Nigeria: the main opposition party is in favour of continuation of Trusteeship with an eye to joining up with the French Cameroons in time.

18. I invite my colleagues to note the present position and seek their concurrence in the course outlined above. The Conference may well be a difficult and possibly a rather stormy one.

435 DO 35/8766 30 July 1958
 [CRO-CO relations]: minute by M E Allen to heads of department in the CRO expressing concern at the CO handling of the transition to independence

Before Ghana and Malaya became independent the Colonial Office took, or let other Departments take, various steps which gave rise to difficulties after Independence. To take one example, they and the Treasury made vague but fulsome promises to Malaya of financial help after Independence which the Malaysians are now trying to invoke, with much embarrassment all round.¹

The Colonial Office have accepted that until Nigerian Independence it is primarily their responsibility to see that trouble is not laid up for us after Independence by acts or omissions on their own part or on the part of other Departments.

But we also have undertaken to encourage our own subject departments, especially the economic departments, to keep in touch with their opposite numbers in the Colonial Office as a double check.

It would therefore be most useful if you and other officers in your department would, if any mention is made of Nigeria in correspondence or orally, remind the Colonial Office suitably that we shall have to pick up the pieces if they make any mistakes before Independence.

¹ Laithwaite of the CRO warned that 'the emergence of Nigeria to independent status will produce far more difficult problems for our department than in the case of Ghana or Malaya' (DO 35/10457, minute by G Laithwaite, 26 June 1958).

436 CO 554/1548, no 24E 7 Aug 1958
 [Date of independence]: note by S J G Fingland¹ on a debate in the House of Representatives

On the 5th August the House of Representatives debated a Private Member's Motion 'That, pursuant to the All Nigeria Party statement made at the London Constitutional

¹ S J G Fingland, CRO principal, on loan to the Nigerian government as adviser on Commonwealth and external affairs to the gov-gen, with local rank of assistant secretary, May 1958–Sept 1960.

Conference, 1957, on the question of Independence of the Federation of Nigeria (vide paragraph 54 of the Report), this House mandates all the Federal delegates to the Resumed Conference to pursue the issue further and to ensure that Nigeria attains her Independence on the 2nd April, 1960.'

2. The Motion was moved by *Mr. R.A. Fani-Kayode* (Action Group—Ife). His theme was that Nigeria found herself faced with the prospect of tranquil and peaceful change from dependence to independence without having had to go through the processes of struggle and suffering which in so many other countries had welded different peoples into a true Nation. This made it all the more essential that the peoples of Nigeria should realise that they must co-operate in peace in order to make their freedom work, both for the state as a whole and for individuals. Mutual understanding and respect, with tolerance and a sense of inter-dependence, was the cement which would create a free Nigeria.

3. *Mr. Fani-Kayode* explained that not long ago he would not have dared to touch such a Motion, far less move it, because of his fears for the freedom of the individual in an independent Nigeria. He had, however, (for some reason that he did not elaborate) decided now to accept the challenge of freedom in hope and faith, and he felt sure that the Motion would commend itself to everyone in the House. The Regional Governments which would be in power in 1960 were already in existence. The new Federal Government which would be formed in 1960 would consist of one of the present parties who supported the demand for independence by the 2nd April, 1960, or a coalition of some or all of them. The demand for the date of freedom in 1960 would therefore be the same then as now and the time to begin to prepare for the transfer of some power and independence celebrations was now.

4. The Motion was supported by *Chief T.T. Solaru* (Action Group—Ijebu, East) who recalled the action of the N.P.C. in 1957 in breaking their 'enigmatic silence' and falling into line with the demands of other parties regarding the date of independence.² The speaker said that the Motion was being brought forward at this stage in order to sound a note of warning to all those who were going to the forthcoming London Conference that this time they should all pull together as members of one team. There had recently been some internal disturbances and internal political squabbles in Nigeria, but these were not unknown in some of the major nations of the world and should not be a bar to Nigerian independence. They would, however, be described as such by the enemies of Nigerian freedom.

5. The *Prime Minister* spoke next and said that the Motion was one for which no single party could take credit and which he was sure would be supported by all the parties in the country. He emphasised that the Nigerian Government 'had fixed the date of 2nd April, 1960 for Nigeria's independence, and that it is our wish that we shall do all we can to press and see that this date becomes a reality'. The Prime Minister went on to remind the House that before the grant of independence there were many questions to be answered. But he did not want to give the impression in any way that he doubted that it would be possible to settle all these questions. He thought that, with the co-operation of the U.K. Government, the Regional Governments and the Federal Government, it should be possible to settle them all before 2nd April, 1960.

² See 390.

6. After reading out the statement made by the Secretary of State for the Colonies on independence at the last London Conference, the Prime Minister pointed out that the Secretary of State did not commit H.M.G. to the 2nd April, 1960.³ The Prime Minister referred to the outstanding matters which would have to be settled before independence, as follows:—

- (a) the election of the new House of Representatives. Because of climatic conditions the elections could not possibly be held, he thought, before November so the new House might be able to meet sometime towards the end of December, 1959, or January, 1960.
- (b) The Federal and Regional Governments would have to frame regulations for the appointment of Senators to the proposed Senate Chamber.
- (c) A Resolution would have to be passed asking for independence and fixing a date.
- (d) The future of the reserved powers at present held by the Governor-General would have to be settled.
- (e) There would have to be arrangements for the U.K. Parliament to pass the Independence Act, and draw up the Constitutional Instruments which would finalise the arrangements for independence.

The Prime Minister added that the Government had started preparing for independence a long time ago and were doing all they could do to bring about independence by the 2nd April, 1960. He pointed out that the House could express their views later on what an independent Nigeria should be like. He hoped, however, that the present debate would be used by Members to give advice to the delegates to the forthcoming Constitutional Conference on the problems before them and the solutions that might be found to these problems. Having stressed the need to debate a Motion of this nature in calmness and in the interests of all the people in the country, he said that the Government accepted the Motion.

7. The debate had so far taken place on a fairly high moral level, but most of the subsequent speakers concentrated rather on making party political points than on giving advice, in response to the Prime Minister's request, as to how the problems facing Nigeria before independence could best be overcome.

8. *Dr. K.O. Mbadiwe*—(Democratic Party of Nigeria and the Cameroons—Orlu)—made some very sound remarks about the need to ensure that an independent Federation of Nigeria was strong at the centre and said that the Federal Government should become the repository of the reserve powers now held by the Governor-General. The Federal Government would have to have control of sufficient finance to develop adequate defence forces and, in the interests of the security of the whole country, should retain control of the Police. The regionalisation of the Police was not acceptable.

9. The rest of *Dr. Mbadiwe's* speech was devoted to a demand for respect for the rights and the liberty of the individual, with thinly veiled references to the treatment he had received at the hands of *Dr. Azikiwe*.

10. *Mr. Jaja Wachuku*—(N.C.N.C.—Aba)—said that the political parties had already agreed unanimously that independence should come on the 2nd April, 1960. He assumed therefore that the purpose of the present Motion was only to make it

³ See 409.

clear to the Secretary of State that the leaders of the delegations who had signed the document to that effect in London last year were not speaking for themselves alone, or for the parties they represented alone, but with the force and backing of the nation as well. He challenged the leaders of the Action Group to give an assurance that, with a view to enabling the parties to go forward together, they would cease to use the minorities question as a political issue and would cease to incite minorities to disaffection for political ends. Without such an assurance the present Motion was not a genuine one. He concluded by pressing for every effort to be made to publicise the aims of the Government to achieve independence on the 2nd April, 1960, in order to make it clear that the nation was perfectly serious.

11. *Mr. Fonka* [sic: Foncha]—(K.N.C.—Bamenda); *Mr. J.S. Tarka*—(U.M.B.C.—Jemgbar); *Mr. U.O. Ndem*—(D.P.N.C.—Calabar) and *Dr. E.U. Udoma*—(U.N.I.P.—Opobo) emphasised the importance of settling the minorities issue. The last mentioned stated that this should be a condition precedent to the grant of independence by 2nd April, 1960.

12. *Mallam Jalo Waziri*—(N.P.C.—Gombe) said that British democracy was the only type of government suited to Nigeria and that it was implicit that when Nigeria became independent she would hope to have the privilege of being a member of the Commonwealth. This remark found general favour as did his subsequent tribute to expatriate officials.

13. Winding up, *Mr. R.A. Fani-Kayode*—(Action Group—Ife) commended to the Prime Minister a suggestion put forward in the House in an earlier debate to the effect that he should set up a national planning committee for independence to advise the Government on how to solve the problems with which the country was faced in achieving early self-government. He agreed with previous speakers that the minorities issue could not be buried; but he made a plea for mutual tolerance as the path to unity. If Nigeria pressed for independence on the 2nd April, 1960, he thought that it would be granted 'whether we are ready or not'. But Nigeria must make self-Government work; there could be no question of going back from freedom to the protection of the Secretary of State for the Colonies.

14. The importance of the debate seemed to me to lie in the additional weight it gave to the 2nd of April, 1960, as a date which has now acquired a 'mystical significance' for independence. Not only did the various parties endorse the date on which their leaders had finally agreed at the 1957 Conference, but the Government, and particularly the Prime Minister, went formally on record as saying that they thought that the admitted problems involved in the transfer of power could be tackled and overcome in time to meet that date, given goodwill and co-operation on all sides. The debate was, however, disappointing in that members did not get down to producing any constructive ideas as to how the difficulties could be overcome, and indeed did not show any real understanding of the nature of the difficulties.

15. The only problem that members seemed to attach any real importance to was that of the minorities. On that question, it seemed to me that in bringing this Motion before the House and handling it in the way they did the Action Group may have been trying to do more than merely seize a useful political initiative. The Action Group spokesmen, conspicuously watched by Chief Awolowo himself, who listened to the debate from the Distinguished Strangers' Gallery, appealed for co-operation in working for the 2nd April, 1960, with at least the ring of sincerity; and they themselves kept away from any contentious discussion of the question of minorities.

Whether this was merely taking up a prepared position or was a tacit indication that they would not press the new states question to the point of interfering with a transfer of power by April, 1960, remains to be seen. The latter interpretation would accord with what Chief Awolowo told me when I paid my introductory call on him in Ibadan some weeks ago; namely, that the new states issue was one of the greatest importance which should be settled urgently; but that if it could not be settled speedily under the auspices of the U.K., the grant of independence, which was a right, should not be delayed. It would then fall to an independent Nigerian Government to solve the problem themselves as soon as possible after independence.

437 DO 177/84

8 Aug 1958

[CO-CRO relations]: minute by M E Allen on CRO attitudes to CO policy at the forthcoming constitutional conference

*Mr. Chadwick*¹

You and higher authority will wish to see without delay this important paper by the Secretary of State for the Colonies on the Nigerian Constitution.² No date has been fixed for it to be taken in Cabinet.

The paper gives an interesting conspectus of the political situation, of the scope of the resumed Constitutional Conference, and of the line which Mr. Lennox-Boyd proposes to take at that meeting. Sir G. Laithwaite will certainly wish to consider it before talking to Sir J. Macpherson about the various detailed points which are being submitted to him separately.

With regard to the general political situation, it must, I think, be said that Nigeria has not really reached a stage at which independence within two years would normally be contemplated. Her politics are disruptive and parochial, her personalities are at sixes and sevens, and the stability of her Administration is threatened by the exodus of United Kingdom officers. But the milk being spilt; our commitment to fix in 1960 the date for independence is virtually certain to lead to the grant of independence in that year. It may be some small consolation to remember that Somalia is also to become independent in 1960, and she will be even less ready to run her own affairs.³ It does not look, however, as if Nigeria will be able immediately to play the part in Africa for which her size, population and situation cast her. She will, after all, be far and away the most populous State in Africa, and she is situated at a nodal point of Commonwealth communications. She will be in a position to influence developments in Africa more profoundly than little Ghana on the periphery can hope to do. While we might at a pinch be prepared to contemplate relations with Ghana of less than perfect amity, we may need Nigeria's friendship quite badly for strategic, economic and political reasons—and there may be competitors for her favours—so it is of the greatest importance that we should do whatever we can in the time that remains to ensure the emergence of a stable and friendly Nigeria.

Within these principles the line which the Colonial Secretary proposes to take at the Conference seems to be broadly such as gives the best chance for U.K./Nigerian

¹ Assistant Secretary, CRO.

² C(58)171. See 434.

³ British Somaliland gained its independence on 26 June 1960.

relations after 1960, except that, as we have already remarked in another context, the emphasis does not seem to be sufficiently laid on the desirability of Nigerians reaching agreement among themselves and then getting us to rubber-stamp it. A settlement agreed among Nigerians is, after all, the only line that is likely to last any length of time after Independence, and I am inclined to wonder, for instance, whether, if the Nigerians all ask for the police to be regionalised (paragraph 10) it would be prudent to resist them. In most Federations, after all, and even in some unitary States like the U.K., the police is a regional affair.

The last sentence of paragraph 14 of the paper is of crucial importance. It implies that if we are not satisfied about the prospects of the new Federal Government to be elected at the end of next year, we must refuse Nigeria's independence. We should certainly agree with this line.

438 DO 35/10443, no 558a 13 Aug 1958
 [Ghana]: letter from Sir R Grey to C G Eastwood on the likely impact
 on Nigeria of the declaration of a republic by Ghana

The Governor-General sent copies of his Secret and Personal letter No. 36/229 of the 26th of July to Stapledon, Bell and Mooring and invited their views on his assessment of the effect in Nigeria of a declaration of a republic by Ghana soon after the Queen's visit in 1959.¹

Their replies have now been received and there is general agreement with the Governor-General's assessment. Bell and Mooring have cited recent local experiences of adherence to the monarchical system and, in general, evidence of very deep personal regard for the Throne. Bell wrote as follows:—

'As you know, in the North the Chiefs have a great tradition of loyalty to the Crown. There was an example of this the other day when the Emir of Zaria, hearing of the creation of the Prince of Wales, rang up the Resident entirely unprompted so that he could be assured that a loyal message was being sent to Her Majesty on this occasion. Northern Chiefs and people have a great love of honours bestowed by the Queen and anything that appeared to them derogatory to Her—and a Ghanaian declaration of a Republic shortly after a Royal visit would be interpreted as markedly derogatory—would, I think, be felt deeply.

If the arrangements in Ghana were less than perfect this would be attributed to the fact that Ghanaian respect for Royalty was low on the eve of becoming a Republic; if the visit were a success and the Queen and Prince Philip received a tumultuous welcome it would appear the more ungrateful to forsake the personal allegiance to Her Majesty and become a Republic soon after.

Politically and within the North I do not think it would have much effect apart from what I have said above. The respect and loyalty are still too inherent here to be seriously affected by what is done in Ghana.'

¹ Ghana became a republic in July 1960.

Mooring wrote:—

‘Action Group leaders here can see no good in any of Nkrumah’s actions, and if he declares a Republic they will think up every possible criticism of his action and every possible reason for not following suit. Ghana’s declaring herself a Republic soon after a Royal visit may well cause a lot of bewilderment or worse in Nigeria, but I think that these effects would be outweighed by a warm appreciation of the friendly and magnanimous accommodation offered to Ghana by the Commonwealth and an increased resolution to join the Commonwealth after Independence.’

Finally, the following extract from Awolowo’s address to his party conference at Calabar in May reinforces my hope that the course of events which unfortunately may take place in Ghana is unlikely to diminish the genuine affection and respect in which the Sovereign and the Throne are held in this Region:—

‘We have declared repeatedly that, after independence, Nigeria will remain a member of the British Commonwealth of Nations. I believe also that in view of our own indigenous monarchical institutions which we have solemnly pledged ourselves to preserve, *Nigeria will remain a monarchy under the British Crown*. What we have not yet declared is the nature of the tie and friendship which we would like to see subsist between Nigeria and Britain.

In my considered opinion, a realistic foreign policy for Nigeria must be governed by a close unflagging and conscientious tie and friendship with Britain.

The sort of relationship that I want to see exist between Britain and Nigeria, is the kind that exists between Britain on the one hand and the countries of Canada, Australia and New Zealand on the other. It is a relationship among sisters of bosom friends inter se.’

Urquhart, writing in Stapledon’s absence, has however reminded me that when Ghanaian delegates visited Azikiwe in April, he was reported by Special Branch as having said that all West African independent states should become republics, but he warned them that this should not be discussed yet, as the Colonial Office might use the information in order to delay the granting of independence to other West African states. But even if this is correct, and even if he holds such a view, he has not expressed it openly and I doubt if many are of the same mind.

I am sending copies of this to Stapledon, Bell and Mooring.

439 CO 554/1548, no 29

14 Aug 1958

[Date of independence]: letter from Sir R Grey to A Emanuel on Sir J Robertson’s discussions with Alhaji Abubakar Tafawa Balewa concerning the date of independence

With reference to previous correspondence on ‘April 2nd, 1960’ (of which Eastwood’s WAF 16/3/053 of the 14th July is the last from your end) you will be interested to see the following record left by the Governor-General, who is on tour, of a discussion he had with Abubakar on the 10th of August on the subject:—

'I had a discussion this morning with the Prime Minister about April 2nd 1960 and all that.

I said I had sent for Mr. Stallard and asked how preparations were getting on. I hoped we would soon have Colonel Hefford with us. I was proposing to write to the Regions asking them to take action about the Senate, and also to ask the Ministry of Lagos Affairs to put in train the selections of Lagos representatives. I said I hoped his Committee would soon be set up to deal with things like the flag, the anthem, the crest, etc.

I said I thought whatever we could get done, '2nd April' was an unrealistic date. It would be at the end of Ramadan or in the Sala period; that would mean the month before would be pretty hard going for everyone, just at a time when we would be absolutely fully stretched. Again it would be just at the beginning of the new financial year and probably the various Houses would just have been sitting to get their budgets through.

It would seem to me that a date in August or in the autumn would be much better. The Prime Minister said that if the Secretary of State came out with a date in July or August or even later, he thought everyone would accept it, and there would be no quarrel with it.

Later today, I saw Chief Awolowo who said much the same. He thought November would be a good time for the celebrations; provided the fact of independence was promulgated by 2nd April no one would worry.'

I am sending copies of this letter to the Regional Governors.

440 CO 554/1656, no 42 20 Aug 1958
 [Northern Region self-government]: despatch no 190 from Sir G Bell
 to Mr Lennox-Boyd reporting the adoption by the Northern
 legislature of a motion for regional self-government in 1959 [Extract]

I have the honour to refer to paragraph 2 of my Secret Despatch No. 149 of July 9th, 1958, and to inform you that both Houses of the Regional Legislature have now adopted the following motion:—

'Be it resolved that this House accepts the Government proposals contained in the Sessional Paper on self-government for the Northern Region and that a humble address be presented by the Government of the Region to Her Majesty praying that on March 15th, 1959, the Northern Region be granted self-government in respect of all the matters within the competence of the Regional Government.'

2. It is therefore the wish of my Government that I should now request you to present my humble duty and that of my Government to Her Majesty and pray her to grant self-government to the Northern Region on March 15th 1959 in respect of all the matters within the competence of the Regional Government.

3. It is, further, the wish of my Government that I should request you to grant the selected representatives and advisers of my Government an opportunity of discussing the Sessional Paper with you in London before the opening of the resumed Constitutional Conference. It is also their wish that, as the Constitution of

each Region is a subject which concerns both the Federation and the other Regions, the Constitutional Conference should then be invited to consider and endorse the Sessional Paper. . . .

441 CO 554/1606, no 10

27 Aug 1958

[Minorities]: letter from C G Eastwood to Sir J Robertson on the handling of the Willink report at the forthcoming constitutional conference

[Extract]

[The welcome given by Northern political leaders to the Willink recommendations against the creation of new regions (see 432), was matched by the dissatisfaction expressed by minorities' representatives and above all by the AG, who saw the break-up of the Northern Region as essential to their ambition of becoming the largest party in the Federation. CO fears were that since the AG objections were likely to be exploited as a central plank in their campaign for the 1959 Federal elections, their dissatisfaction with Willink would distract the forthcoming constitutional conference.]

Now that we have had some further opportunity to consider the report of the Minorities Commission, I should like to follow up Emanuel's letter to you of the 8th August with some general comments on particular points.

2. The agenda for the Conference will, of course, be a matter for the Steering Committee, but it seems to us inevitable that the Minorities Commission Report should be the first item on the agenda.¹ The Conference has been called primarily to consider the reports of the Minorities and Fiscal Commissions, and until the Minorities Report and in particular the demand for new States is finally disposed of, we cannot easily get on with many other items of business including the Report of the Fiscal Commission. I shall assume, then, that the Minorities Report is taken first.

3. Perhaps the most valuable aspect of this Report is its firm disposal, based on much evidence, of the various claims for new States. I think we felt from the beginning that this negative aspect of its work was likely to be one of the most fruitful contributions that the Commission could make, and so it seems to have proved. But we know that the Action Group at least, supported no doubt by some representatives of minority parties, will reaffirm their demand for new States, and this demand must clearly be discussed and disposed of. We suggest, therefore, that the best means of dealing with the Commission's Report might be to begin with a general Second Reading debate on the Report in which the general attitude of parties might emerge. The Secretary of State could affirm the considerable value of the Commission's careful analysis of many problems and proposals, and would stand firm for its disposal of the claims for new States. He could say that it reinforced the view he expressed last year that any such States should be created only as a last resort. The Action Group would no doubt fire all its guns, but at present seems unlikely to receive much support on this issue from any other major delegation.

4. If the air could be cleared in this way (still no doubt leaving hard feelings among the Action Group), the Conference could then proceed to consider the specific recommendations contained in the Report. Here we suggest that the Secretary of State should propose that at least two of the topics dealt with by the

¹ See 432.

Minorities Commission—Police and Fundamental Rights—should be treated as separate agenda items. I imagine, too, that the Commission's recommendations about Muslim law would not be taken substantively by the Conference until they had been discussed first with the North in the context of the proposals for Regional self-government there.

5. If these recommendations are dealt with separately from the Report as a whole, we are left mainly with the Ilorin/Kabba dispute and the recommendations for Special and Minority areas. Perhaps I could deal with the latter first. We can see very clearly that the Commission's scheme for a Special Area Board for the Ijaws of East and West would create many difficulties with all the Governments concerned. But the Commission are emphatic that a real problem exists and we do not in these circumstances think that the Secretary of State can properly discharge his role as protector of minorities by simply abandoning the Commission's recommendations as too difficult to work. Furthermore, we think there might be advantage in the Secretary of State presenting the Commission's report to the Conference as a package deal to be taken as a whole—though no doubt modified in particulars—with each party recognising that while some of the recommendations may seem hurtful to it, others are to its political or general advantage. If the Secretary of State is to adopt such an approach, it would be desirable for him to be able to invite the Conference to accept the Commission's conclusion that the land (or water!) of the Ijaws presents a particular problem which requires particular and fully co-ordinated administrative measures to tackle. If this could be agreed, then the Conference or a committee of it might get together to work out some means of helping the Ijaws, which would cause less difficulty to the Regional Governments concerned than seems likely from the Commission's existing recommendations. If you think that this general approach might be fruitful, no doubt you will give some thought to how the Commission's scheme for a Special Area Board might be amended to make it both more workable and, if possible, more palatable to the local Governments.

6. Much the same approach would apply to the proposals for Minority Areas.

7. I do not need to refer again here to the question of Fundamental Rights. The promised dispatch to the Nigerian Governments containing draft clauses for their consideration should be with you at much the same time as this letter.

8. We are expecting to hear from you at greater length about Police, so that I will add little here to what we have already written. We were very much relieved that the representations from you, the Regional Governors and ourselves here led the Commission to modify their recommendations on Police in the way they did. But we think that there is much in one of Willink's comments to the Secretary of State on the weight attached in your letters to the maintenance without change of the existing arrangements for a wholly Federal Force. He said 'it is essential to take very seriously the concurrent responsibility for law and order'. As you know, one of the primary objectives of our scheme for the Police was to reconcile that responsibility with keeping operational control of the Police out of ministerial hands and with the maintenance of ultimate Federal responsibility. I am bound to say that we still feel that our scheme offers a much better prospect than any other proposal yet advanced of being regarded by the Conference as a genuine attempt to meet the demand for Regional responsibility for police matters while maintaining the essential unity of the police and the ultimate Federal control which the Secretary of State must regard as essential, both for himself up to independence, and for the new Federal

government after independence. We propose therefore to draft as soon as ever we can a conference paper on police, which will set out in fair detail the scheme we have put to you. . . .

442 CO 554/1548, no 32

27 Aug 1958

[Date of independence]: letter from Sir J Robertson to Mr Lennox-Boyd urging acceptance of the demand for independence in 1960.

Minutes by M G Smith, C G Eastwood and Sir J Macpherson

When we last met—at Chequers two days before I returned here—we discussed Nigerian affairs at some length, and I think came to the conclusion that regarding independence in 1960 there was very little more to be said than you had said at the Conference in June 1957; that we must await elections at the end of 1959, the election of a new House of Representatives, and the formation of a new Government. Thereafter, if the newly elected legislature and Government asked for Independence, H.M.G. would consider it sympathetically, subject to certain considerations.

2. Since we discussed this matter, one or two new factors have emerged and after a great deal of anxious thought I now believe that we must reconsider our previous conclusions.

The date—2nd April 1960, proposed by the party leaders in London—has been reaffirmed by the House of Representatives in a Resolution giving their representatives at the Conference a mandate to press for it. Now I don't think the date matters very much within a few months. April 2nd obviously doesn't leave enough time to complete the necessary legal and constitutional steps: it is in itself meaningless, i.e. it has no sentimental or historical significance. Both Abu Bakar and Awolowo have told me they set little store by it. It is too near the end of Ramadan to let preparations for celebrations be properly carried out, and Moslems from the North would be unlikely to come to Lagos for celebrations which fell just after the end of Ramadan, a time which they like to spend with their families. I therefore see no likelihood of disagreement if H.M.G. were to give their agreement to a date later in the year.

3. The new situation in French territories in West Africa seems to me important: General de Gaulle has now, as I understand it, offered these territories the choice of:—

- (a) maintenance of their present semi-autonomous status; or
- (b) membership of the French Community, which seems to mean total internal self-government, with Defence, External Affairs and Economic Assistance left to France; or
- (c) immediate secession.¹

If France can offer her territories in West Africa, some of which are far behind Nigeria in most respects, independence, i.e. secession, I feel sure Nigerian politicians will be hard to persuade that Nigeria is not far more ready for it.

¹ A referendum on the constitution of the 5th Republic, which effectively offered a choice between membership of the French Community and secession, was held in the French territories in Africa on 28 Sept 1958; Guinea was the only territory to vote no and thus for secession.

4. There is also the situation here in Nigeria. At present there is a strong spirit of co-operation and friendship: the unhappinesses that led to the 1953 Constitutional Conference are forgotten and on the whole excellent relations exist between H.M.G. and her representatives here on the one hand, and Nigerians on the other. This seems to me an essential ingredient in a successful transfer of power, and we ought not to allow it to be lost in acrimonious discussions about a date—after all, a few months make little difference in the history of a nation, as Mr. Profumo himself said in the House of Commons. It is my firm belief that for the future of Anglo-Nigerian relations after independence the transfer of power should be made voluntarily on our part, so that bitterness is avoided, and our trading position here, which is an important long term requirement, should not be jeopardised by political estrangement.

5. There is furthermore a consideration affecting Nigeria herself. The chief obstacle to a successful future lies in the rivalries and jealousies of Regional Governments, which represent the old and deep-seated tribal differences. So long as the Central, i.e. Federal, Government is still controlled by H.M.G. and the Governor-General has reserved powers, I do not believe that the Centre can grow in real authority and stature in respect of the Regions. The Minorities Commission made this point (Chapter 1 paragraph 18). If we are to fulfil our policy of building up Nigeria as one country with a capable and influential central Government it seems to me that we must give the Federal Government full responsibility as soon as possible, so that its leaders can become world figures and take their proper places both abroad and in Nigeria. At present the prestige and the limelight pertain more to the Regional leaders than to those in the Federation; and I think this will inevitably continue until the Centre is self governing.

6. I consider, therefore, for all these reasons, that at the forthcoming Conference H.M.G. should give Nigeria a firm date for self government in 1960. I know that this course has difficulties in respect of other territories, but these considerations affect H.M.G. and not Nigeria; and it will be difficult to persuade Nigerian politicians of their validity as far as they are concerned. What the date should be is largely immaterial: the Nigerian, I think, will accept any date in 1960 and I would suggest one in October or November. This would allow another six months for finalising the constitutional instruments and getting legal sanction from the British Parliament.

7. You will have seen Stapleton's letter of 15th August to Macpherson, which, after discussing the police question, goes on to consider the matters I have dealt with above. I think he and I are in entire agreement, and I believe Rankine holds similar views. My own advisers, Grey and Gardner-Brown, are also in agreement. What I am concerned about is that H.M.G. should retain the initiative, that self government when it comes should be a voluntary act by H.M.G. and not something wrested from H.M.G. by political agitation, and that the world should see this to be the case. I believe that Zik and possibly Awolowo would be delighted to find a really good anti-colonial and anti-imperialist platform on which to go to the country in 1959, Zik to repair his fallen political fortunes, Awolowo to increase his following in the new House.

8. My recommendation is therefore that we should abandon arguments about waiting to see how the Regions take the strain of regional self government; waiting to see how the Minorities problems are solved and so forth, and that we should throw the responsibility directly on to the Nigerians themselves, by saying forthrightly that

if the Legislature asks for independence after the next elections, independence will be granted without further ado and will take effect as soon as the constitutional formalities can be completed; that this certainly cannot be by April 2nd, 1960, but may be in August or November, whichever month is most convenient climatically for suitable celebrations. Locally everything is to be gained by such a decision; and I would submit that the problems of H.M.G. vis-a-vis other territories (which are, and can be shown to be, problems in an entirely different context and requiring different solutions) should not be allowed to endanger Nigeria's future.

I am sending copies of this to Stapledon, Bell and Mooring.

Minutes on 442

Mr. Eastwood

After the several discussions about independence for Nigeria which took place at the 1957 Conference the Secretary of State finally informed the Conference (paragraph 53 of Cmnd. 207) that if early in 1960 the U.K. received a resolution from the new Nigerian Parliament asking for full self-government within the Commonwealth by a date in 1960 the U.K. would consider the request with sympathy and would then fix a date when they would accede to it.

2. The Nigerian delegations grudgingly acquiesced in this statement and repeated their request for independence not later than the 2nd April 1960. Since the Conference this date of the 2nd April 1960 has been referred to a number of times by the Nigerian leaders and in July was the subject of a unanimous resolution by the Federal House of Representatives. The date however has no special significance for Nigeria and the general trend of opinion, as sensed by the Governor-General and the Governors of the Southern Regions, is that almost any date in 1960 would be acceptable.

3. We had and still have considerable uneasiness about the ability of Nigeria with its powerful and often bitterly opposed regional groups to take the strain of independence as early as 1960. Although there has been a Federal Prime Minister and full Nigerian Cabinet for a year the strength and prestige of the Federal Government has not developed as we would have hoped. Its main handicaps are two: because it is a coalition of three mainly regional parties the Ministers in the Federal Cabinet are always looking back over their shoulders to maintain their position in their regions of origin and so are never able to settle down as a Nigerian team with a Nigerian outlook; secondly, the leaders of these three main parties all remain in the regions and are able within limits to manipulate the Federal Cabinet from their regional vantage grounds—in particular the Prime Minister is only a comparatively poor second in command of the N.P.C., which basically is interested in self-government for the North rather than in taking its place in the leadership of Nigeria.² For these reasons the Secretary of State in his minute of the 13th July decided that at the coming Conference he would concede no further ground about the fixing of a date for independence. The Cabinet paper at (18), which he approved, was drafted in conformity with this instruction.³

² Macpherson added in the margin here: 'doesn't carry in N.P.C. the weight his character and status entitle him to'.

³ See 434.

4. At (32) the Governor-General, following up a letter by the Governor, East, at (31), has recorded the reconsidered view that at the coming Conference the U.K. should give Nigeria a firm date for self-government in 1960. He suggests a date late in that year, say October or November. Of the reasons he gives for this fresh appraisal I do not think we need attach too much weight to the manoeuvres of General de Gaulle nor even to the argument in paragraph 4 in (32) about maintaining goodwill. We must of course maintain this goodwill, but so long as our attitude about a date for independence is clear and sincere and evident progress is being made towards the target I do not believe that there is likely to be any real loss of goodwill simply because a particular date is not immediately forthcoming. The arguments of weight seem to me to be in paragraph 5. They are that there is urgent need to take every possible step to build up the authority of the Federal Government, and that while there is uncertainty about a date for independence this authority will not develop and too much energy and thought will be devoted to sparring about a date rather than to working out how to live as an independent nation, internally united and externally strong. To this strong argument it can perhaps be added that although we have these genuine fears that by 1960 the Federal Government may still be barely able to make the grade we do not contemplate refusing to grant independence some time in 1960, unless there has been or then is some obvious breakdown or cataclysm that shows beyond doubt that the country is not ripe for independence. What therefore the Governor-General is arguing is not that we should now announce a date earlier than we otherwise had in mind, but that we should now openly say what we secretly have in mind.

5. There are two further arguments to be weighed against any announcement, namely:—

(a) The position with regard to the Central African Federation; I am sending a copy of this minute to Mr. Morgan to enable him to comment.

(b) If a date is withheld now we shall still retain up to 1960 a reasonable area in which to manoeuvre and make a choice—even if as I have said above our choice is already largely made; but if a date is given now, however conditionally that date is expressed, it will in effect be impossible, short of a violent breakdown, to hold back from it. We should therefore be committing ourselves to a belief about the state of Nigeria in 1960 which we cannot yet with real confidence hold.

6. I suggest that our attitude in the next few weeks might be as follows. We should assume that while the main preoccupation of last year's conference was the attainment in the best shape possible of regional self-government, the main preoccupation of this year's conference must be the preparing of Nigeria for independence. We should not therefore burke the issue of independence but should rather go out of our way to recognise that this is the theme of the Conference and the major question mark overhanging it and should unhesitatingly put to the Conference all our fears and anxieties about the future unity of Nigeria and the best and boldest recommendations we can offer for overcoming those fears.

7. The Prime Minister, Abubakar, will be here in ten days and will ask to talk to the Secretary of State in private about independence. I suggest that the Secretary of State should rely on Abubakar's general trustworthiness to put to him in the plainest possible terms our anxieties about the unity and strength of Nigeria and the considerable weakness of the existing Federal Government. It is a depressing fact

that much of the present Federal Cabinet is unworthy of high office and this is likely to be even more the case after the next elections, which are likely to be won by the N.P.C./N.C.N.C. alliance and which will therefore lead to the exclusion of the present Action Group members of the Cabinet. The present Federal Ministers compare unfavourably with the talent available to Ghana on independence, although the problems facing the Ghanaian Ministers were clearly much smaller and more manageable.⁴ I suggest that Abubakar should be asked whether it is not possible for him as Prime Minister in his own right to bring some further talent into the Council of Ministers, even if this has to be done at some risk of his relations with the party caucuses of the N.P.C. and the N.C.N.C., whose strength and interest lie in the regions. The Prime Minister might also have his attention drawn to the very real and obviously increasing threat of subversion throughout the whole of North Africa from Russian and Egyptian sources, with the lesson drawn that internally this threat can best be met by the maintenance of a strong united Nigerian Police, including a strong Special Branch (about both of which Abubakar seems to have considerable doubts).

8. The Sardauna is coming here about a week before the Conference and hopes to call on the Secretary of State to talk in general terms about the North's proposals for self-government. We have tried to make it clear through the Governor that these proposals can only be discussed in detail at the full Conference but I suggest that advantage should be taken of the visit to say—with a different slant—much of what is said to Abubakar. Perhaps the greatest single drawback to a strong Nigeria is the fact that the Sardauna is undisputed head of the N.P.C.—his authority has clearly increased in the last year—and because of this is probably the most powerful political figure in Nigeria. But his interest very much lies where his own office lies—in the Northern Region—and he tends to think of the Federal Government, in so far as he thinks of it at all, as a rather distasteful agency in Lagos which fortunately is run by a Northerner, but which must be kept in its place for the benefit of the North. It was the Sardauna and not Abubakar who revived Zik's flagging authority three months ago by inviting Zik to the North and arranging with him the alliance between the N.P.C. and the N.C.N.C. for the next Federal elections which is designed to keep the Action Group out of power. I suggest that the anxieties discussed above about the strength and unity of Nigeria should be put to the Sardauna and it should be said to him that as the undisputed leader of the strongest single party in Nigeria he has predominant responsibilities to support the Federal Government in every way possible. This is, of course, very delicate ground because the Sardauna is always alert to show that as leader of the N.P.C. and Premier of the North he is a more important man than his second in command, who happens to be the Prime Minister. But because this very awkward situation is one of the keys to the unity of Nigeria I believe that we should not hesitate to touch upon it. We know from the last Conference that the Sardauna has the highest regard for the Secretary of State and it may be useful to recall that after that Conference he wrote personally to the Secretary of State offering to do anything in his power at any time for the good of Nigeria.

⁴ Eastwood added in the margin here, referring to the respected Ghanaian minister of finance, 1954–1961, K A Gbedemah: 'They have no Gbedemah: otherwise I should have thought they were much of a muchness. But I agree they will be weaker when the A.G. members go.'

9. Then for the Conference itself. As I have suggested above, the U.K. attitude should be consistent with the line taken at the last Conference that the demand for a date for independence can be considered only when the considerable amount of unfinished business is settled satisfactorily. This would mean that the U.K. would press firmly for the various parties at the Conference to show a willingness to compromise, even to their own immediate hurt, in accepting proper solutions for the many outstanding questions before the Conference. These questions include dealing with the many recommendations of the Minorities Commission, including such sore points as the plebiscite over the Ilorin/Kabba boundary dispute, provisions concerning human rights, and the amendment of the constitution after independence. Perhaps more than any of these the key questions are the arrangements for the Police after independence and the vesting in the Federal Government after independence of the powers now held by the Governor-General to intervene in his discretion in the affairs of a region which is a threat to the continuance of federation. I suggest that if, and only if, the Conference shows itself prepared as a whole to reach reasonable agreements on these difficult matters the Secretary of State might say that as the unfinished business is being satisfactorily disposed of he is prepared to give an undertaking on behalf of the U.K. Government that, provided the agreements reached at the Conference are put suitably into effect, provided that between now and 1960 there is no breakdown or serious threat of a breakdown of administration, and provided that the newly elected Federal Parliament in 1960 declares the country able to assume the responsibilities of independence, the U.K. Government will grant independence say in November, 1960.⁵ If such an undertaking is to be given the Secretary of State will presumably wish to refer to this change of attitude at Monday's Cabinet, and at draft 'A' opposite I have added a note on this point.

10. The Nigerians have asked for independence in April 1960, but we have for some time been fairly clear that since the final moves are not due to be made until after a resolution passed by the new Federal Parliament early in 1960, and since there will need to be some final discussions with the new Federal Government early in 1960, it is very unlikely that all the necessary steps, including an Act of the U.K. Parliament, and some complex constitution making, could be completed by April 1960. The Governor-General has advised in (32) that a date later than April would be acceptable and I think we might well fix a date towards the end of the year. There are two advantages in this: On current form lump sum compensation will not be available to the Federal Public Service before independence so that November 1960 would give us another six months after the suggested April date in which all the existing resources of the Federal Government would be available to prepare the country for independence. More qualified Nigerians are being turned out every year and another six months preparation is not lightly to be thrown away. In the second place, although we have very properly not made any play with this to date with the Nigerian Governments, it would be much more convenient for the Trusteeship Agreement concerning the British Cameroons. We are working for a plebiscite there in March or April 1960; the result of this plebiscite will be submitted to the Trusteeship Council in the summer of 1960 and then to the

⁵ Eastwood added in the margin here: 'I would say "before the end of 1960".'

General Assembly in the autumn of 1960. But this General Assembly is likely to be deferred since 1960 is the U.S. presidential year so that there may be no final U.N. decision about the future of the Cameroons until November. We could no doubt make interim arrangements to tide over the few months between, say, Nigerian independence in April and a U.N. decision in November, but it would be easier and tidier to avoid this and to have a U.N. decision just about the same time as Nigeria becomes independent.

11. I suggest that we might consider the following additional steps to help strengthen the Federal Government—or at least put it to the test—in the coming year or so. These steps have not been suggested by the Governor-General and they would have first to be discussed with him:—

(a) The Governor-General is at present responsible in his discretion for defence and it was agreed at the last Conference that this should be the position up to independence. But so long as his general reserve powers are retained there is I think no reason why his discretionary power should not be removed and the subject be assigned to a Nigerian Minister.

(b) Similarly, the Governor-General is responsible in his discretion for the police. Provided a satisfactory police solution is accepted by the Conference, and provided the Governor-General's general reserve powers are retained the portfolio itself might be assumed by a Federal Minister.

(c) The Governor-General presides over the Council of Ministers and there has so far been no suggestion that he should not continue so to preside up to independence. Again, we might suggest that perhaps after the Federal elections late in 1959 he should cease to preside and the Chair should be taken by the Prime Minister.

(d) A further step, though I suggest this rather more tentatively, might be that after the Federal elections at the end of 1959 the Governor-General's discretionary power over external affairs should be removed—but again his general reserve powers should be retained—and this subject should be dealt with by a Nigerian Minister, who clearly would be the embryo Foreign Secretary. In practice the External Affairs Department is already situated in the Prime Minister's Office and the Governor-General leaves the Prime Minister pretty free to conduct business over much of the limited field of external affairs which concerns a dependent Nigeria.

12. For convenience I have also placed opposite at 'B' and 'C' notes about the administrative arrangements for the Conference and the subjects which are to be discussed.

M.G.S.
4.9.58

Sir John Macpherson

The Cabinet Paper about Nigeria (No. (18)) is being taken on Monday. Draft A is a brief for it. This takes account of the C.R.O. points made in No. (33).

Since the Cabinet Paper was written we have had the letter from the Governor-General at No. (32) recommending a definite statement by the S. of S. that we would give independence in 1960 (not necessarily April). Mr. Maurice Smith's admirable minute above sets out the reasons why we think we should accept this view. His

minute was written after we had had several discussions and I agree with him on this. I agree also with the line which he suggests the S. of S. should take with Abubakar (para. 7) and the Sardauna (para. 8) before the Conference starts.

The note at B gives the state of the game about the various matters which will have to be discussed at the Conference. The papers on many of these subjects will of course be coming up to the S. of S. separately and if need be we can elaborate on them in discussion.

The note at C sets out the administrative arrangements. The Secretary of State will be glad to see that we are only to be turned out of Lancaster House for two days and not a whole week.

C.G.E.

5.9.58

Secretary of State

There are so many important and urgent matters awaiting your attention on your return to this country that I am reluctant to add this one. But the Cabinet is going to take this subject on Monday and I am afraid I must.

2. You approved the Cabinet paper at 18 (your minute of 28/7). Since then we have had the letters at 32, 31 and 34 from the Governor-General and the Governors East and West—as to which see paragraphs 1 to 10 of Mr. M.G. Smith's thoughtful minute leading to the proposed brief for you at 'A' opposite.

3. Although the minutes do not record the fact, we kept constantly in mind the difficulty about the Federation of Rhodesia and Nyasaland, and, as directed in paragraph 4 of your minute of 13/7/58, we have kept in touch with Mr. Gorell Barnes.⁶ I am fully seized of the dangerous effect on Sir Roy Welensky's attitude towards the 1960 Conference of a promise to grant independence to Nigeria by the end of 1960. But I feel most strongly that the *decision* regarding Nigeria should not turn on the situation in Rhodesia. Our relations with Nigeria have never been better and the Nigerians are proud of the fact that they are within reach of independence without ever having had a quarrel with us or any need for 'positive action'. But they are a volatile people and these feelings could change. It would be a sorry business if we lost Nigerian goodwill and did not mollify Sir R. Welensky.

4. I know that you will find this very difficult and I suggest that you should not attempt to get a decision from your colleagues on Monday. It would, I feel, be sufficient if you tell them about the letters from the Governor-General and the two Regional Governors and say that you would wish to see how the situation developments during the next two weeks—adding that you would very shortly be seeing the Governor-General and Abubakar and others. The P.M. will be back from his holiday before the Conference opens'.

5. You may wish to discuss with us.

J.S.M.

5.9.58

⁶ Growing opposition to the Central African Federation, and particularly the constitution approved in 1957, led to boycotts by African voters of the November 1958 elections and eventually to the declaration of states of emergency in Nyasaland and Southern Rhodesia in early 1959. The constitution was due to be reviewed at a conference to be held in 1960.

443 DO 35/10440, no 5

29 Aug 1958

[Defence]: letter from C G Eastwood to Sir J Robertson on British defence needs in Nigeria after independence. *Enclosure*: 'Nigeria—overflying and staging rights', note by MOD

Would you please refer to Emanuel's letter of the 14th August about British defence facilities in West Africa?

I enclose a copy of the paper which has now been received from the Ministry of Defence on the subject of the United Kingdom's needs for overflying and staging rights in Nigeria after independence. This was referred to in para. 4 of Emanuel's letter. Leaving aside the enclave question, (on which we have still heard nothing further from the Ministry of Defence), this will provide you with a pretty clear idea of the sort of facilities which we should wish to cover in any formal Defence Agreement.

We cannot make very much progress on this question until we have had your views on what *quid pro quo*, if any, the Federal Government might require H.M.G. to provide after independence. There is little time to prepare briefs before the October talks and *we are therefore anxious to have your views as soon as possible*.

Enclosure to 443

It is an essential strategic requirement that the U.K. should be able to move forces and material by air from Europe and the Mediterranean to the Arabian Peninsula, the Persian Gulf and the Far East. Such movements may involve both aircraft of H.M. Forces and civil aircraft on charter to these forces. The normal routes for such a move lie across Arab countries and thus cannot always be relied on, particularly in a situation in which U.K. forces are engaged against Moslem inhabitants, whether in an internal security role or otherwise. It is therefore necessary to secure alternative air routes across Africa. The existence of more than one such route not only permits greater operational flexibility, but also increases the chances in any particular situation of having at least one route which is not denied for political reasons.

2. One such African route would be by way of Gibraltar, Bathurst, Libya or Malta (as circumstances dictated) through Kano to East Africa. As the use of Kano cannot be relied on in all circumstances, the possibility of a more southerly route is also being investigated for long term use. Yet even if this were to be developed it would involve longer stage lengths and a much greater total distance. Use of the shorter route is therefore much to be preferred wherever possible.

3. State aircraft have no rights of passage through the air space of a sovereign country. State aircraft are defined in the Chicago Convention as 'Aircraft used in military, customs or police services'. This term therefore covers aircraft of Her Majesty's Forces. Certain states also regard aircraft on charter to Her Majesty's Forces as coming within the definition of State aircraft. In addition to R.A.F. aircraft, there may be occasions when aircraft of Commonwealth Air Forces operating alongside the R.A.F. will also require to over-fly or stage through Nigeria. In particular the Rhodesian Government has undertaken to make available in certain circumstances units of the Royal Rhodesian Air Force for operations and training in Aden and later in Cyprus. It is therefore necessary to make arrangements with the

countries concerned to permit over-flying and staging along this route by U.K. and Commonwealth State aircraft. The classes concerned could conveniently be covered by the formula 'Aircraft of Her Majesty's Forces or on charter to such Forces'.

4. In the case of Nigeria, these arrangements can most conveniently be made by the negotiation of a comprehensive agreement to come into force at the date of Nigerian independence. The existence of such an agreement would restrict the number of occasions on which the Nigerian Government might feel disposed for political reasons to deny staging and over-flying facilities, since this would entail breaking or amending the agreement. It would also facilitate the provision of any facilities required purely for R.A.F. purposes at airfields in Nigeria additional to those already existing.

5. Ideally aircraft of Her Majesty's Forces or on charter to these Forces should be able to over-fly Nigeria and to stage at airfields in Nigeria with no more difficulty than if they were regarded as civil aircraft. This would imply that for normal movements of isolated aircraft and small groups of aircraft, movement notifications would be made only through normal air traffic control channels, and that no diplomatic approach would be necessary. In practice, it would be acceptable for a minimum period of notice (say 24 hours) to be required either through diplomatic or military channels for staging flights. Notification for over-flights should be through air traffic control channels only. Any such facilities granted by Nigeria would be on a reciprocal basis, i.e. military or other State aircraft belonging to Nigeria would be afforded similar privileges in the U.K. and in U.K. dependent territories.

6. It can be represented that the grant of such reciprocal facilities is a normal feature of relations between countries of the Commonwealth, and indeed between friendly countries generally. Similar facilities exist, for example, for all Commonwealth countries (an agreement with Ghana is currently being negotiated and there are certain provisos in the case of India and Ceylon). There are similar arrangements in existence between the U.K. and other members of the N.A.T.O., Baghdad Pact and S.E.A.T.O. alliances as well as countries such as Ethiopia with whom the U.K. has no military alliance.

7. The Agreement should also provide that the Nigerian Government would assist in the provision of refuelling facilities, accommodation, messing, ground signals, equipment, storage and maintenance facilities required in connection with R.A.F. use of Kano. To a very large extent this requirement will be covered by the facilities normally provided for the civil airport as such. However, where the R.A.F. has additional requirements, it should be agreed that these can be provided and maintained at U.K. expense. This should include access to the overland line of communication between Lagos and Kano (and possibly elsewhere) for the supply of spares and equipment, aviation fuel, etc. which because of bulk or weight must be transported by surface means.

8. The extent to which over-flying and staging rights would be used if an agreement on these lines was made would depend on the circumstances. In particular it would be governed by the facilities which existed or could be provided for staging at Kano. When other and more direct routes were available, these will normally be used, but occasions will arise when these are not available or when their capacity is insufficient for the flow of traffic required, and in these cases overflying and staging through Nigeria will be necessary. To prepare for these occasions some routine movements would be made over the Nigerian route at regular intervals even in normal circumstances.

444 PREM 11/2436, no 10 5 Sept 1958
 [Date of independence]: minute by B StJ Trend¹ to Mr Macmillan
 outlining the considerations affecting the choice of a date for
 independence

The Nigeria Constitutional Conference, which is in effect a continuation of that held in the summer of 1957, will pose for us the same dilemma, i.e. whether we can safely hand over final power in Nigeria before the country is capable of exercising it, or whether we should hold on to it at the expense of embittering local political opinion.

But our choice is, in fact, restricted. We have already granted regional self-government to the Eastern and Western Regions; we are committed to granting it to the Northern Region next year; and British personnel are gradually leaving. There is, therefore, no real alternative to granting independence to Nigeria in the fairly near future; and it must be our aim to attempt, so far as we can, to ensure that the final hand-over is made at a time which is tactically most suitable to us (within the narrow limits of time which will in practice be available), and to take what steps we can to fortify our position, and that of the West generally, in the Nigeria of the future.

Timing of independence

The Nigerian delegations will demand independence in the spring of 1960. Her Majesty's Government have said that if, at the beginning of that year, the new Nigerian Parliament resolve to ask for full self-government in that year, they will be ready to fix a date on which they will accede to the request. That might not be the date asked for in the resolution, but they will do their best to meet the resolution 'in a reasonable and practicable manner'. In the light of this commitment we shall have to weigh the dangers of further delay in a situation already perhaps slipping from our control against:—

- (i) the practical difficulties of too rapid constitutional change;
- (ii) the actual preparatory work involved;
- (iii) the proposal for a review, in 1960, of the constitution of the Central African Federation;
- (iv) and the feelings of the Old Commonwealth, and South Africa in particular, as regards the enlargement of Commonwealth membership and the possible creation of an Afro/Asian bloc within the Commonwealth itself.

These considerations make it desirable that we should not, if possible, go beyond the statement made at last year's conference. The Cabinet will no doubt wish to study in draft any further statement on this matter which the Colonial Secretary may find it necessary to make during the conference.²

Conditions of independence

Our main objectives should be to resist pressure for the creation of new Regions and to ensure, so far as possible, that the key powers are kept at the centre (in the Federal Government) rather than dispersed amongst the Regions. In particular:—

¹ Burke St John Trend, KCB 1962; Baron, life peer 1974; HM Treasury from 1937; deputy secretary to the Cabinet, 1956–1959, Cabinet secretary, 1963–1973.

² See 434.

- (a) The report of the Fiscal Commission leans too far towards the Regions.
- (b) The police force should not be carved up amongst the Regions.
- (c) Safeguards should be provided for the independence of the civil service, the judiciary and the police.
- (d) We must retain the strategic concessions which we require, mainly in respect of staging and overflying rights at Kano, although naval facilities at Lagos and Port Harcourt may also be of importance.

445 DO 177/84, no 4

5 Sept 1958

'Nigeria': brief by M E Allen for Lord Home outlining CRO views of CO policy towards Nigeria. *Minute* by A W Snelling

The Colonial Secretary has submitted to the Cabinet a paper—C(58)171—setting forth the line he proposes to take at the resumed Nigerian Constitutional Conference later this month.¹ We do not dissent from the proposals specifically put forward in the paper; but there are some basic points on Nigeria which the Secretary of State could usefully make at the present stage, either at the Cabinet meeting or, perhaps better, to Mr. Lennox-Boyd alone at Chequers on 7th September.

Should there be a 'Lennox Boyd Constitution' for Nigeria?

2. The first and widest point is the question whether we should launch Nigeria, as we launched Ghana, with a detailed and elaborate Constitution. The Colonial Office—and the Nigerians—are going on the assumption that careful constitutional drafting will continue on Nigeria, as with Ghana, until a very short time before Independence, and that when Nigeria does become independent she will be launched with as sophisticated and elaborate a Constitution as Ghana has (the Ghana Constitution is attached).² We understand that there is no formal commitment to Nigeria to this effect; but constitutional and political progress in Nigeria has for years been based on this assumption, and there are groups in Nigeria, notably the minorities, who (even if mistakenly) look to the Constitution to be their future safeguard against oppression.

3. We accept, of course, that appropriate constitutional legislation must accompany political emancipation; but there may be something to be said for considering an alternative: that the United Kingdom should deliberately leave it to the Nigerians themselves to draft and enact their own Constitution *after* they are independent. This is what happened with India, Pakistan and Ceylon. India and Pakistan in particular were started off with only the briefest amendment of the constitutional provisions of the Government of India Act, 1935, and both countries spent a number of years happily drafting Constitutions to suit themselves (the Pakistan Constitution is not even yet fully in effect). Ceylon admittedly had an interim Constitution in 1946, but even she became independent with only a small amount of legislation and then drafted her own Constitution. It could be argued that Nigeria as a Federation will need special constitutional attention; but India and Pakistan are also Federations: moreover, in India the major question of the Princely

¹ See 434.² Not printed.

States was left constitutionally as well as politically unsolved at Independence. In Pakistan the whole fabric of the central Government had, of course, to be built up from nothing. Admittedly, however, in both countries one national party, with a distinctive philosophy of its own, commanded the loyalty of the vast majority of citizens. This is not yet the case in Nigeria.

4. We are inclined to doubt, therefore, whether it is incontrovertibly *necessary* to launch Nigeria with a detailed Constitution. It can also be questioned whether this is *desirable*. The history of Ghana's Constitution is not encouraging. Ghana's Constitution is, to begin with, not the kind of document to inspire the man-in-the-bush. It is dated (unavoidably but perhaps unfortunately in all the circumstances) from 'the Court at Buckingham Palace', and starts with three pages of definitions, exceptions and revocations; there is then a whole page about the Governor-General, half of which concerns his salary and that of his staff, and the next section, entitled 'The Executive', begins: 'The executive power of Ghana is vested in the Queen'. The Constitution contains no such statement as figures in, for instance, the Pakistan and Malayan Constitutions, of the purpose for which the State of Ghana has been formed or the ideals it sets before itself, and I think the only human right which it enshrines is that to compensation for property nationalised. So it is not surprising that the Constitution has not inspired amongst ordinary Ghanaians any germ of the devotion which, for example, Americans have for the United States Constitution, or that the Ghana Government have already taken the first steps towards thorough-going revision of their Constitution, notably in the direction of a Republic. Parts of the Ghana Constitution, particularly those dealing with the Regional Assemblies, have in any case never been put into effect, for cogent political reasons. So one cannot but ask whether there is any point in doing again for Nigeria the elaborate constitutional work which was done for Ghana. If past experience is any guide, much of the work will be wasted at best, and it may at worst bring resentment upon the United Kingdom.

5. What is more, the Colonial Office are now proposing not merely to give Nigeria at least as elaborate a Constitution as Ghana; but also to suggest to Nigeria the entrenchment, as in Ghana, of substantial portions of it, even so insignificant a point as the provision that Government accounts must be audited by the Auditor-General. It seems to us that this attitude is liable to appear as either an expression of distrust of Nigeria's ability to run her affairs, or as seeking to lay an intolerable strait-jacket upon the Government of an independent State. The history of entrenched clauses in other Commonwealth countries (e.g. South Africa) is not encouraging. Nothing should be entrenched that the Nigerians themselves are not asking for.

The Crown

6. The question of the Crown has also come up already. The Government of the Western Region of Nigeria have asked that, while consolidating the multifarious Constitutional Orders in Council which have been enacted in the past in respect of Western Nigeria, the Colonial Office lawyers should in the near future insert specific reference to the Queen when defining the composition of the Western Regional Assembly. The Colonial Office are prepared to accede to this request; and they say that in the interests of uniformity with the other Nigerian Constitutions that are being simultaneously consolidated, they must write the Queen into them all. This seems most undesirable. It is disproportionate that a request from one Regional

Government should cause action to be taken in relation to all the other Regions, and the Federation, which none of them have asked for (indeed, if any of the others should say they do not wish the Queen to be written into their Constitutions, the situation could be most embarrassing). Moreover, we are not convinced that the objective of keeping Nigeria under the monarchy is best achieved by putting references to the Queen into the constitutional documents at every opportunity. Until now, no tropical country that has achieved independence has given any sign of wishing to keep the monarchy as Sovereign. It would surely be wrong to work on the assumption—though this is not to say that it is impossible—that Nigeria will not make some move away from the monarchy pretty soon after Independence. So there is everything to be said for reducing the apparent ‘weight’ given to the Crown in the Nigerian Constitution, by deliberately referring to the Queen as *few* times as possible; and above all for the United Kingdom never pressing the Crown upon the Federation or any of the Regions. This course appears to offer both the best chance of keeping Nigeria within the monarchy (by reducing the opportunities for critics to say that the United Kingdom is still running Nigeria by means of the monarchy) and—if Nigeria does decide to dispense with the monarchy—the best hope of minimising the embarrassment when she passes the necessary legislation.

7. The foregoing covers two basic ideas behind the Colonial Secretary’s Cabinet Paper. The paper itself can be dealt with more briefly, and we agree with its recommendations.

Date of independence

8. The central question is, of course, the date of Independence (paragraph 13 of the paper). We can certainly agree with Mr. Lennox-Boyd’s intention not to go beyond the undertaking he gave at the Conference last year: that if in 1960 the United Kingdom is asked by Nigeria to fix a date for Independence, she will then fix it. What we know of the political situation in Nigeria does not encourage us to think that the country will have achieved any great degree of political cohesion by 1960, and we certainly should not wish the Colonial Secretary to commit himself now to any specific date for Independence. We do not want to run any risk of Nigeria becoming independent before the United Kingdom is confident of her fitness to run her own affairs.

Minorities

9. On the problem of minorities (paragraph 9 of the paper), the Willink Commission has now reported, recommending the creation of *no* new States, on the ground that this was not the way to remove the fears and grievances of the Nigerian minorities. We see no advantage to Nigeria in further regionalisation, and hope that the Colonial Secretary will be able to resist demands for it.

10. In view of the special circumstances of Nigeria we can agree with Mr. Lennox-Boyd’s proposal to resist pressure for the regionalisation of the Police.

Minute on 445

I agree fully. The experiment of settling a detailed constitution for Ghana before independence has *not* been a success. It has come to be referred to in scornful terms

in Ghana as the 'Lennox-Boyd Constitution' & nearly every self-respecting Ghanaian wants to win freedom from it. It is regarded as the legacy of the Colonial Office from which Ghana has still to fight free. The idea of working out a detailed constitution in advance is a novelty, not followed in the history of any other Cwllth country. Relations in future years with Nigeria will certainly be happier if they have worked out their own constitution & cannot blame us for the many defects it is certain to contain.

Of course Nigeria must be launched with *some* constitution. There are already in force constitutions for the Federation & the Western & Eastern Regions. One for the Northern Region must be promulgated in 1959. The best course seems to be, as in the case of India, to have an instrument making the *minimum* change necessary in these constitutions so as to launch Nigeria into independence & then to let her adjust them to her own tastes after independence.

I also agree very much with what is said above about the Queen. Because Ghana wants to become a republic & amend her constitution in other ways, the reaction of the Colonial Office has been that the Queen & other feature [sic] should be entrenched even more deeply in Nigeria! This seems to me to be perverse in the extreme. It does no service to the Queen to ensure that every unpopular step taken by an independent Nigerian Govt is done in the Queen's name. How can the man-in-the-bush or the Niger Delta be expected to adopt our sophisticated notions of the role the Queen in reality plays?

It seems to me to be worth making no small effort to ensure that our relations with Nigeria are not dogged by the incorrigible paternalism of the Colonial Office & by the legacy of a constitutional straight-jacket of, at any rate in part, Uk manufacture.

A.W.S.
5.9.58

446 CO 554/1548, no 34 8 Sept 1958
 'Paper on Nigeria to be taken by the Cabinet on 8 Sept 1958': CO
 notes for Mr Lennox-Boyd

The Paper itself (at No. 18) is largely descriptive of the present position.¹

2. Since the Paper was drafted the Report of the Minorities Commission referred to in paragraph 9 has been published as Cmnd 505.² The major conclusion of the Commission is the valuable but negative one that the many requests for the establishment of new States are without justification. This conclusion has been received with much satisfaction by the Government of the Northern Region, with quiet satisfaction by the Government of the Eastern Region and with indignation by the Action Group Government of the Western Region and by the minority parties in all three Regions. But there has been no disorder anywhere and although there is little doubt that the resumed Conference will endorse the conclusion that no more States should be created it is unlikely that there will be serious trouble in Nigeria. The Action Group and some of the minority parties will protest strongly and at

¹ See 434.

² See 432.

present evidently intend to carry their demand into the field of the 1959 Federal elections.

3. The positive recommendations of the Minorities Commission are that there should continue to be a unified police force, that extensive Human Rights provisions should be written into the constitution, that if there is general agreement at the Conference the Ilorin/Kabba boundary dispute should be settled by a plebiscite and that there should be certain other safeguards peculiar to particular parts of the country such as some mitigation in the North of the rigours of Muslim Law and arrangements in the South to draw attention to the needs of underdeveloped areas through Minority and Special Area Boards. Apart from the very difficult question of police, the one recommendation likely to cause much trouble is that concerning the Ilorin plebiscite. The Governor-General has recommended that the plebiscite proposal should be supported and this would be consistent with the Secretary of State's general attitude of endorsing the conclusions and recommendations of the Commission.

4. There has been an important development on the question of independence (paragraphs 13 to 15). The Governor-General, supported by the Governors of the Southern Regions, has made a considered recommendation that to maintain the existing considerable fund of goodwill towards this country, to keep up with the provisional offers of independence made by General de Gaulle to the French colonial territories, and in particular to give the Federal Government full opportunity to develop in stature as the authentic government of Nigeria, the U.K. Government should at the resumed Conference give a clear undertaking that if all goes well independence will be granted at a date late in 1960. There remain the anxieties expressed in the Paper about the ability of the Federal Government either now or in 1960 to maintain the unity and good government of the country in the face of the real hostility between the major Regional groups which still persists. But it has been clear for some time that short of an obvious breakdown of government no reason exists which would carry real weight in Nigeria to refuse to grant independence some time in 1960 in response to the Nigerian demand for independence on the 2nd April, 1960. There is an obvious risk in giving a clear undertaking now since however much such an undertaking is hedged with conditions the Nigerian public will seize on the date and either forget the conditions or maintain that they are fulfilled. Once a date is given therefore, the power to alter it can be exercised only in extreme circumstances. But there is force in the Governor-General's view that to announce a provisional date now would give the Federal Government a very necessary opportunity to enhance its authority and would turn minds in Nigeria away from fruitless sparring over a date to thinking about and tackling the heavy problems that independence will bring. It is therefore proposed that at the forthcoming Conference every opportunity should be taken to bring home to the Nigerian representatives the problems, including in particular the problems of their own unwillingness to agree, that lie between them and independence; but that provided a satisfactory settlement is reached of the difficult questions before the Conference, including the future of the Nigeria police and the assignment to an independent Federal Government of the powers now vested in the Governor-General to maintain the unity of Nigeria, provided the new Federal Parliament in 1960 affirms its competence to assume the burdens of independence, and provided that between now and 1960 no serious trouble or breakdown occurs, the U.K. should undertake that independence would be granted late—say in November—1960.

5. In agreeing to further constitutional advance for the Southern Cameroons (para. 16) the Secretary of State will insist on the retention of reserve powers either by the Governor-General of the Federation or by the Officer Administering the Government of the Southern Cameroons since until the Trusteeship Agreement is abrogated these powers will be required to enable the U.K. Government as the Administering Authority to ensure the observance of the Agreement.

6. The C.R.O. have expressed general agreement with the Paper as drafted but have raised two further points which may possibly be mentioned:—

(a) In a despatch earlier this year the Western Region Government asked for a formal amendment of the constitution to provide that Regional legislation is made not as at present by the Governor with advice and consent etc. of the legislature but (as in the U.K.) by *The Queen* with the advice and consent of the legislature. There is no legal difficulty about making this change but it raises some minor technical and constitutional points which are not yet settled and we have so far deliberately stalled on it. The C.R.O. wish us to avoid meeting the request at least until other Nigerian Governments also ask for a similar provision. In principle we concur in this C.R.O. view but this technical point is scarcely suitable for Cabinet discussion at least until a paper setting out all the issues is prepared.

(b) The C.R.O. have said that they are not convinced that Nigeria will be given the best start for independence by the provision of a highly complex constitution embodied in an Order in Council not easily amendable. This question has not been discussed at the official level. Perhaps the C.R.O. feel that Nkrumah resents a constitution imposed upon him largely to meet the fears of the opposition and that this causes illwill. But the situation in Nigeria is quite different. The distrust felt by both the major and the minor parties for each other has led them *all* to want a comparatively rigid constitution. The pattern has already been set by the discussions which have taken place and if we tried a different approach at this stage all the Nigerian major parties would emphatically protest while the minority groups would feel that we were leaving them to their fate. Their protection largely rests on precise constitutional safeguards.

447 CO 968/668, no 28

8 Sept 1958

[Defence]: letter from Mr Duncan Sandys¹ to Mr Lennox-Boyd
outlining defence needs in an independent Nigeria

I understand that a constitutional conference with representatives from Nigeria is due to take place at the beginning of October and that there has been some discussion at official level of the defence facilities which we shall need to retain when Nigeria becomes independent.

It is essential that we secure by treaty, permanently and without any political escape clauses, unrestricted rights (a) to overfly Nigeria; (b) to use Kano Airport as an air-staging post for military aircraft; (c) to bring aviation fuel, equipment and other supplies, etc., overland from Lagos to Kano; and (d) to use the port facilities at Lagos and Port Harcourt in war.

¹ Minister of Defence, 1957–59.

Owing to the uncertainty of tenure, even when treaty rights exist, I consider it essential that we should retain permanently under British sovereignty a small area or areas which would be excluded from the grant of independence, and on which we could, if we so wished, construct an airfield or other military facilities. I have asked the Chiefs of Staff, in consultation with the Colonial Office, to advise where this could most suitably be located. I realise that the Nigerians may not like this proposal, but I cannot believe that if we take a firm stand on this point, the Nigerians would wish to prejudice the negotiations for independence for the sake of what to them is an unessential and valueless piece of land, but to us of potentially great strategic importance.

448 CO 554/1548, no 35 [Sept 1958]
 'Resumed Nigeria constitutional conference': CO note for Mr Lennox-Boyd on the subjects to be discussed

[The 1958 constitutional conference, chaired by Lennox-Boyd, met in London at Lancaster House between 29 Sept and 27 Oct; strictly speaking, it was a resumption of the 1957 conference and its main function was to consider the reports of the Willink, Raisman and Merthyr Commissions set up after that conference. The most notable issue to be considered by the conference however, was to be the setting of a date for independence (see 458).]

1. *The Minorities Commission Report* (Cmnd. 505)

The Commission rejected the many proposals made to it for new States; it recommended the maintenance of a unified police force, substantial provision concerning human rights in the constitution, a plebiscite (if there is general Conference agreement) to settle the Ilorin/Kabba boundary dispute, some changes affecting Muslim Law in the North and the establishment in the South of certain minority and special areas to draw attention to the development needs of those areas.

The N.P.C. and the N.C.N.C. have welcomed the Report (the N.P.C. opposing the Ilorin plebiscite) and the Action Group and the minority parties rejected it (the Action Group demanding a plebiscite).

It is proposed that the general U.K. line should be to welcome the Report and to commend it as a package deal to be accepted as a whole, each party taking the bitter with the sweet. The questions concerning the police and human rights are very large ones to be discussed separately so that the main argument over the Report itself will come over the rejection of the demands for new States and the recommendation of an Ilorin plebiscite: Separate papers will come forward about this. The Govr. Gen. & we think we shall have to press for a plebiscite but it is a real horror.

2. *Fiscal commission Report* (Cmnd. 481)

This Report published in July has had in general a good Press in Nigeria. Its recommendations would go far to put the Southern Cameroons on their feet and to provide the North with the additional funds which its size and population requires. The East get little from the Report and the West probably lose a little but the main sufferer is the Federal Government on whose behalf few voices are as yet raised in Nigeria. Our line will be to recommend the acceptance of the Report as a whole and it is likely that this will succeed. But it is possible that some of the professional advisers

of the Eastern and Western Regional delegations may raise a few technical points that will need unravelling.

3. *The National Economic Council and kindred organisations*

This is a minor item carried over from the Steering Committee of last year's Conference. It seemed then that Abubakar wanted a general discussion about the position of organisations such as the N.E.C. on which all the Nigerian Governments are represented at high ministerial level. This is very much a Nigerian matter on which perhaps the Prime Minister can be expected to make such running as there is.

4. *Fundamental rights*

Following the discussion at last year's Conference the U.K. undertook before the resumed Conference to circulate for consideration draft clauses for inclusion in the constitution.

A comprehensive series of clauses was drafted in this Office and shown to the Minorities Commission. The Minorities Commission incorporated these clauses almost verbatim in its recommendations. A despatch has now been sent to the Nigerian Governments taking account of the recommendations of the Minorities Commission and proposing the inclusion in the constitution of clauses very similar to those in the Commission's Report.

It is likely that the proposed clauses as a whole will be acceptable to the Conference but there may be one or two difficult problems such as the exact drafting, to suit the circumstances of the North, of the clauses concerning religious freedom.

5. *Self-government for the Northern Region*

The Northern Legislature has approved and the Northern Government has submitted a White Paper containing its proposals for Regional self-government on the 15th March, 1959. These proposals are very similar to those agreed last year for the East and West but they would retain greater powers in the hands of the Governor North than those still held by the Governors East and West. We have replied by despatch commenting in detail on the proposals and referring also as major matters of concern to the Hudson proposals for the establishment of Provincial Administrations and to the position of Muslim Law. The Regional Government have been reluctant to implement the Hudson proposals but it is highly desirable, if the authority of the Government is to be maintained in this huge Region after self-government, that some permanent basis for Provincial Administrations should be provided. It now seems more likely that a modified form of the Hudson proposals will be implemented. The North has sent missions this year to Libya, the Sudan and Pakistan to enquire into the position in these countries assigned to Muslim Law. The reports of the missions show clearly that Muslim Law in all three countries has now largely been restricted to the field of personal law—i.e. marriage and divorce, family rights, testamentary succession, etc. A panel of experts headed by the Chief Justice of the Sudan and including Professor Anderson¹ of the School of Oriental and African Studies is now meeting in Kaduna to advise the Regional Government on the next steps. It is hoped that the recommendations of the Panel will be available for the

¹ Sir Norman Anderson, professor of Islamic Law, School of Oriental and African Studies, University of London, and later director of the Institute of Advanced Legal Studies, University of London.

Conference since this question is of great importance to the large minorities in the North.

6. *The future of the Cameroons*

The present Government of the Southern Cameroons has taken an unequivocal stand in favour of remaining after independence as a part of Nigeria and is likely at this Conference to ask for something like Regional self-government. With independence for Nigeria only about two years off the Southern Cameroons must be given the chance to stand on their own feet and it is proposed to go a considerable way to meet any such request. But full reserve powers must be retained by the U.K. either through the Governor-General or through the O.A.G. Southern Cameroons to ensure observance of the Trusteeship Agreement. It is proposed that the Conference should be invited to say on what terms the Southern Cameroons would be welcomed as part of an independent Nigeria.

We are working in the United Nations to achieve a plebiscite in the Cameroons early in 1960 so that the future of the Cameroons can be settled by the General Assembly meeting late in 1960.

7. *Procedure for the amendment of the constitution after independence*

This was held over from the last Conference. We are proposing somewhat complex arrangements to ensure the inter-dependence of the various governments and to protect the major safeguards of good government against over easy amendment. We have enlisted the help of Prof. Wheare.²

8. *Privy Councils and the power of pardon*

At present all the Regional Governors and the Governor-General exercise the power of pardon in their discretion although they take account of the advice of Privy Councils constituted in their discretion. The discretionary powers will go on independence if not sooner and the major question is whether Governors and the Governor-General should be advised after independence solely by Ministers as in the United Kingdom or by a Privy Council appointed on the advice of Ministers but consisting either of independent persons other than Ministers or of a combination of Ministers and such independent persons.

9. *Recognition, selection and designation of chiefs*

In the West and North chiefs are recognised by the Government. This fact, plus in the North the Government's power to select chiefs for the House of Chiefs, tends to mean that these second chambers are or can easily become effete bodies packed by the Governments. Governmental responsibility for the recognition of chiefs is unavoidable but to give the Houses of Chiefs some independence we have suggested to the Governors that this power of recognition, etc. should be exercised after taking the advice of a Regional Council of Chiefs, and that at least some proportion of the members of the House of Chiefs should be elected by the main body of chiefs.

10. *Regional electoral regulations*

We agreed at the last Conference on the suffrage for Federal elections and on the establishment of an Electoral Commission to settle electoral boundaries and to

² Professor Joan Wheare, author of *The Nigerian Legislative Council* (London, 1950).

supervise Federal Elections. This time we have to consider the Regional position. We want the Federal Electoral Commission to be responsible for Regional elections as well. The West are likely to raise again the question of votes for women in the North.³ This will cause much ill-feeling.

11. *The appellate jurisdiction of the Federal Supreme Court*

This question was left over from the last Conference. At present the Federal Supreme Court, in addition to its constitutional jurisdiction, has such appellate jurisdiction on matters heard by the Regional High Courts in their original jurisdiction as the Federal Legislature may confer, and also such appellate jurisdiction on matters heard by the Regional High Courts in their appellate jurisdiction as the Federal Legislature may confer in respect of exclusive or concurrent subjects and as the Regional Legislatures may confer in respect of other subjects. We are proposing some simplification of this position.

12. *The Colonial Development Corporation and C.D. & W. assistance*

The Federal Government have asked for a discussion on these topics. They will presumably want to know where they stand after independence.

13. *Federal participation in state social services*

The Federal Minister of Finance has proposed this subject. It is not quite clear what the Minister has in mind but a limited technical discussion about state social services will no doubt be sufficient.

14. *Appointments to the future Nigerian Foreign Service*

It is at present provided that in the self-governing Regions all Public Service appointments, including to the highest posts are on the recommendation of the Public Service Commissions; while in the North and the Federation that they are made in the Governor/Governor-General's discretion. We contemplate proposing that when there is a separate Nigerian Foreign Service the most senior posts in this service should be filled not on the recommendation of the Federal Public Service Commission but on the recommendation of the Federal Prime Minister.

15. *Citizenship and common nationality*

This subject was mentioned at the last Conference. If it is raised there should be a brief discussion of the legislation the U.K. Government will promote in connection with Nigerian independence and the legislation which it is desirable that the Federal Government should promote to establish Nigerian citizenship.

16. *The nomenclature of Regions*

Some Nigerian representatives may wish to rename the Regions as States.

17. *The position of Lagos*

There is due to be a report to the Conference about the progress made over some of the arrangements for Lagos agreed at last year's Conference.

³ The AG in this period strongly argued for the extension of universal adult suffrage to the North (ie giving votes to women) in the face of the opposition of many Northern political leaders; the Willink Commission claimed that there was little support for the measure among women in the North, or at least among Muslim women.

18. *Police*

There has been considerable correspondence with the Governor-General in the last few months about the future of the Nigeria police especially since the West and the North continue to press for regionalization. The Minorities Commission which studied the Office paper on police recommended the application of a number of principles which would result in the retention of a unified force. The Governor-General has now submitted recommendations which amount to the retention of the present Federal police while giving somewhat enlarged powers to the existing Police Advisory Council on which all the Regions are represented. This may well be the most difficult question before the Conference.

19. *Independence for the Federation*

See separate papers.

449 CO 554/1548, no 41, CC 71(58)5 11 Sept 1958
[London constitutional conference]: Cabinet conclusions

The Cabinet had before them a memorandum by the Colonial Secretary (C. (58) 171) on the Nigeria Constitutional Conference which was due to re-assemble in London on 29th September.¹

The Colonial Secretary said that at the Conference in the previous year it had been agreed that the Eastern and Western Regions of Nigeria should be granted regional self-government. The representatives of the Northern Region had now informed him that they wished to be given a similar status with effect from 15th March, 1959. In accordance with his predecessor's undertaking he was bound to accede to this request. As regards independence for Nigeria as a whole, an undertaking had been given during the 1957 Conference that, if at the beginning of 1960, the new Nigerian Parliament requested the United Kingdom Government to agree to full self-government within the Commonwealth by a specified date in that year, Her Majesty's Government would consider it with sympathy and would be prepared to fix a date when they would accede to the request. It now seemed doubtful, however, whether he would be able to rest on that undertaking at the forthcoming Conference. The Governor-General had represented strongly that we should be prepared to announce during the Conference a date in 1960 on which we would agree to full self-government for the Federation as a whole. Public opinion in Nigeria was conspicuously loyal to the Crown and the Commonwealth connection, and it would be unwise to alienate this sentiment by reluctance to prescribe a date for the achievement of Federal self-government. A concession in this respect must, however, be dependent on our being satisfied that the administration of the Regions would continue on satisfactory lines in the interim and that, when Federal self-government was introduced, adequate arrangements would be made to maintain the unity of the country, to preserve the integrity of the police force and to assure us of the continuance of such defence facilities as we should need to retain. These included staging and overflying rights for our aircraft, together with the right to use the

¹ See 434.

harbours at Lagos and Port Harcourt in war. It had been suggested that, in addition, we should reserve sovereignty in perpetuity over a small enclave of territory which would provide a secure and permanent base for our forces. This proposal would need further examination; and its advantages would need to be weighed against the risk that it would appear to imply that we doubted whether we could rely on the continuing loyalty of Nigeria. For their part the Nigerians would need our help in building up their defence forces, particularly by seconding British officers on suitable.

*The Minister of Defence*² emphasised the importance of avoiding any uncertainty about the defence facilities which we should need to retain in Nigeria as an essential part of our means of reinforcing the Middle Eastern and Far Eastern theatres. The Defence Agreement should, if possible, constitute an integral element in the constitutional instrument establishing self-government rather than a separate agreement to be concluded with Nigeria after the grant of independence. Moreover, the strategic importance of Nigeria was sufficiently great to justify us in making every effort to retain an enclave of territory under our own sovereignty.

In discussion there was general agreement that we should adhere to the policy, to which we were committed, of granting full self-government to Nigeria, subject to being satisfied as regards the essential constitutional and military safeguards. It would be desirable, however, that further consideration should be given to the timing of the proposed Defence Agreement. It was arguable that this Agreement might well prove more reliable and command greater international respect if, on the Malayan precedent, it was signed, or at least ratified, by the Nigerian Government in the exercise of their full powers after they had attained independence.

The Cabinet:—

(1) Invited the Colonial Secretary to be guided, at the forthcoming Conference on Nigeria, by the considerations which had emerged during their discussion.

(2) Invited the Colonial Secretary to circulate periodical reports on the progress of the Conference and to seek further authority from the Cabinet if he found it desirable to prescribe, during the proceedings, a specific date in 1960 for the independence of Nigeria.

(3) Invited the Colonial Secretary, in consultation with the Minister of Defence, to arrange for a further examination of the best means of securing our future strategic requirements in Nigeria and of the most appropriate timing of the conclusion of a Defence Agreement.

² Mr Duncan Sandys.

450 CO 554/1548, no 37 12 Sept 1958
 [Date of independence]: letter from C G Eastwood to Sir J Robertson
 outlining the likely handling of the date of independence at the
 forthcoming conference

I think you will probably want to know before Abubakar leaves something of what has been happening as a result of your letter of the 27th August¹ to the Secretary of State

¹ See 442.

on the question of independence, but the Secretary of State is not available at the moment and I have not yet been able to discover exactly the result of his discussions with his colleagues.

I think as a result of your letter, which was supported by Mooring and Stapledon, the Secretary of State is thinking that he might early in the Conference say something to the effect that this is a Conference to prepare the way for independence, that he fully understands the desire, recently reaffirmed in the House of Representatives, for a clear undertaking about independence in 1960, that he cannot at that stage give any commitment on behalf of the U.K. Government but that if the Conference is able to reach satisfactory agreement on the many difficult issues before it (the recommendations of the Minorities Commission, the future of Police, etc. etc.) he hopes to be able to make some more positive statement before the Conference ends. Then, if the Conference went satisfactorily, he might be able to say that assuming that the agreements reached were put into effect and that between now and 1960 there was no breakdown or serious threat of a breakdown of administration, then if the newly elected Parliament in 1960 so asked the U.K. Government would be prepared to grant independence on a date *in 1960*—not of course mentioning the 2nd April, 1960, and expecting in fact that independence would not be practicable before the autumn.

We have suggested to the Secretary of State (and I think he agrees) that when he sees Abubakar before the Conference he should put to him quite frankly his fear about the ability of a Nigeria which became independent as early as 1960 to maintain its unity and cohesion and tell him the line he was going to take on independence at the Conference.

We also think (and I believe the Secretary of State agrees though I am not sure) that it would be useful if he talked frankly to Abubakar about the defence question, telling him of the suggestion of an enclave and saying (which I believe to be the fact) that the minimum that will meet the demands of H.M.G. is a fairly tight agreement giving us facilities in war or peace at Kano Airport, and certain rights to use Lagos and Port Harcourt in war-time and the right to send supplies by rail or road to Kano. Such an Agreement would also, we hope, give Nigeria herself certain advantages such as rights to get officers trained in the United Kingdom and ships and supplies for their Navy. Possibly it might also cover the tedious question of seconded officers.

As this is only rather a provisional letter I am not sending copies to anyone else. I write in haste to catch the mail.

451 CO 554/1548, no 45A

15 Sept 1958

[Date of independence]: letter from Sir J Robertson to C G Eastwood on Alhaji Abubakar Tafawa Balewa's attitude to the date of independence

The Prime Minister came to say 'goodbye' to me this morning before he left for London by air. He seemed cheerful but is looking tired. He made the following points in the course of conversation and you may care to know of them in case he talks at the C.O.

He said he hoped to have a bit of a rest in London before the Conference where he would not have people pestering him day and night; but he reminded me that he wanted to have a talk with the Secretary of State before the Conference, especially on the question of 'a date for independence'. I said I thought April 2nd was unrealistic and that he should not press too hard for it—whatever could be done beforehand, there were plenty of problems for decision between the new Government coming into power in January 1960 and independence; in any case the 2nd April followed a Parliamentary budget session, Ramadan and Eid-El-Fitr, which meant that many of those who would have much to do to prepare, would be otherwise fully occupied. I suggested he went for the second half of July or first half of August—'the little dry'—or for the autumn, mid October, when the weather would be more reliable. I said I didn't see how you could have celebrations at a different time from the actual event in case of National independence. A country's status must be one thing or another.

I got the feeling that if the Secretary of State could accept any date in 1960 and declare it at the beginning of the Conference, the Nigerians would accept it. As I have already said, I am all for this and think the Conference would be far easier if the Secretary of State announced a date at the start.

The Prime Minister gave a farewell message to Nigeria on the N.B.C. on Sunday evening. He had shown me his prepared script before and I had made one or two criticisms, chiefly on the grounds that it was too mild and Civil Service like—more like what I would say—and he should have some purple patches about 'freedom', 'Colonisers', 'Imperialists', etc. He did alter it and put in a little on such lines about 'freedom' but very mildly. He told me this morning that he was grateful for my advice, but he didn't like playing the demagogue and saying what wasn't true. I said he must be a bit less restrained and not leave all the running to others. It seems ridiculous to be advising anyone to be wild and emotional, but Abubakar is too nice, and will be superseded if he doesn't let himself go a bit.

His third main topic was the Action Group and all their evil doings. I'm afraid there is real bad feeling now between them and the N.P.C. and I feel Awolowo will use recent events in the North for his own party purposes. Abubakar said Awolowo was trying to create real trouble there, because there have been disturbances in the East and West and the North has been quiet and peaceful; and this made the Southerners annoyed! He also told me he and his party were going to take the very strongest action regarding the lies published by Alfred Rewane alleging that the N.P.C. were obtaining money from Nasser. He talked of asking Mr. Mckenna or a first class British Q.C. to take up the N.P.C.'s case and assured me they would not let this go.

He again confirmed that the N.P.C. would not press for Regionalisation of the Police.

I am sending copies of this to Stapledon, Mooring and Weatherhead.

P.S. Since I dictated the above, I have had your WAF 16/3/053 of 12.9.58.¹

Your second & third paragraphs are, frankly, a bit disappointing and I hope the S. of S. will go further.

Ref. Your penultimate para. AbuBakar has not been informed of these suggestions.

¹ See 450.

452 CO 554/2122, no 53

24 Sept 1958

[London constitutional conference]: note by Mr Lennox-Boyd reporting on his meeting with Alhaji Abubakar Tafawa Balewa

I saw Abubakar this morning.

I congratulated him on his handling of affairs as Prime Minister and said I was very anxious to do all I could to enhance the authority and prestige of the Federal Government. I said I felt that one of the ways in which this could be done was to be more forthcoming on the question of independence than I had felt able to be at the previous Conference. He interposed here to say 'I hope you mean at the beginning of the Conference'. I said I did not think it would be possible to name a precise date at the beginning of the Conference but what I was considering saying was along the lines of recalling what I had said previously, mentioning the difficulties that lay ahead and ending by saying that if these difficulties could, as I felt sure they could, be successfully surmounted then it was my hope or intention to be much more forthcoming than I had been able to be in 1957. He seemed satisfied with this and said it would be of the greatest possible help.

I told him that the sort of difficulties that we must get solved were those in the Minorities Report, the question of the police, the reserve powers of the Governor-General to maintain the cohesion of the Federation and their transfer to the Federal Government, amendments to the constitution, etc. I gave him the paper on the police. He said he did not think that any of these problems would create very great difficulties. Mbadiwe had been very active for the regionalisation of the police, but he felt that the need to preserve the police as a Federal force was getting more and more recognised.

I said that apart from these problems there were other interests which it would be wise for he and I to discuss together. One was the strength of the Federal Government. I said that he himself was an outstanding person, but the same could not be said of all his colleagues. I knew of his difficulties with the party caucuses of the N.P.C. and the N.C.N.C., but it would be tragic if because of possible embarrassments he was prevented from strengthening the Government with people who would really do credit to it. He took the point and said 'I don't think you need be worried that I will find that an insuperable difficulty'.

I then said that these great events in Nigeria were taking place under the shadow of a serious world situation, not least in Africa, where Russia and Egypt had evil designs. I had heard from the Governor-General of the July meeting of the Defence Council and its realisation of the importance of over-flying and staging rights, etc. in the defence of the free world. I said that the U.K. would need to be quite sure that we had full over-flying and staging rights across Nigeria in peace or in war for our treaty obligations or Commonwealth obligations, without question of the form they took. I said we should also need full access to Kano aerodrome by road and rail and the use of Port Harcourt and Lagos in the event of war.

He said that none of these requirements should present any difficulty. He himself fully accepted the need for all of them. He said that lately he had been approached by the Ghana Government and asked for overflying rights for Ghana over an independent Nigeria. He said he had refused to give any promise in advance and he did not feel that when the time came he would be prepared to give it. 'Who knows', he said, 'whether Russian aircraft given to Ghana might not be classed by Ghana as

state aircraft and we would find them flying over our territories? We do not want that'. The question of permission if needed for the U.K. would not arise. Of course the U.K. could do as I had asked. 'We intend', he said, 'to be full members of the Commonwealth doing all our duties'.

I said this was fine and it would clearly make my task with my colleagues much easier and enable me to be more forthcoming on the question of independence. But it was essential that we should get wider agreement than just between himself and me. How did he think we ought to widen the circle? Would he think it a good thing if he and I, the three Premiers and the Minister of Defence met during the course of the Conference and discussed these matters? He said he thought this would be a good thing. He did not expect any trouble from the North over Kano or from the East over Port Harcourt, but anyhow these rights would be matters between the Federal Government and the U.K.

I did not raise with him the question of enclaves.

I then asked him how he thought I ought to handle the Minorities Report. He said that he hoped we would be able to avoid innumerable lengthy speeches and get straight down to the recommendations of the Commission. He suggested that it was unnecessary to have a debate on the first recommendation that there should be no new states, but I said it was surely unrealistic to believe that we would get away with this. He agreed, but thought that we ought not to allow more than two days. We both agreed that the less the better, though I said we might find ourselves involved in two days on this. Thereafter we would get on to the minority safeguards.

On this I told him that the report of the jurists in the North should be of considerable help. Who knew about it? He said 'No one outside the North has any real information. They had a meeting in London yesterday on it and are having another one today'. I said it was a courageous document and he agreed. He did not think there would be difficulty with the West over the Raisman Report, even though they were going to get a little less money. 'They will be so relieved at not being asked to repay the excessive sums they have received'. He said that Awolowo would make trouble all the time. On this also he mentioned a letter he had sent to the Governor-General to be shown to me about the stories that the North were receiving money from Nasser. They did not propose to let this rest and intended to bring it into the open and take legal action. It was needless to say quite untrue, but if these things were allowed to go unanswered people would begin to believe them. He did not intend to raise the matter at the Conference.

Finally I had a word with him about protocol arrangements for the Conference. I said it was a pity that there was not a Federal Government delegation all sitting together. He said he agreed, but this was after all a gathering of political parties and it would be impossible for any of them not to sit together. I mentioned that the Action Group had asked that the United Middle Belt Congress should sit with them. Had he any objection?—I would naturally ask the Sardauna. He said 'None whatever: these people have been de-Northernised'.

I then asked him about the order of speaking on various matters. If he came first as Prime Minister and was followed, as might appear appropriate, by the Sardauna it would give it too much a Northern appearance. He agreed and said that the Sardauna anyhow liked to wait until everybody else had said something, and as to the other two, he thought I should ask one first one time and the other the next.

He seemed very relaxed and at ease.

453 CO 554/1720, no 222

[Sept 1958]

'Her Majesty's Overseas Civil Service Special List B': circular letter from Sir J Robertson to heads of the public service outlining the implementation of the proposals

I am writing this letter to all Permanent Secretaries and Heads of Federal Departments and to the Commissioner of the Cameroons so that they may tell each one of their officers who is likely to be concerned the outcome of the attempts made during 1958 to find some generally acceptable means of ensuring that the Governments in Nigeria would continue to have the services of those overseas officers who are needed while Nigerians are acquiring and developing the necessary skills and experience to fit them to man the Public Services of their country.

2. The Office of the Prime Minister, upon which falls the burden of giving effect to the decisions of the Federal Government in such matters, is working now on the arrangements needed to give practical effect to decisions reached in concert with Her Majesty's Government after long and complex negotiations. But the task is intricate and as officers can not yet be given the papers on which to make their individual election about the proposals, I want at least to ensure that they know now what those proposals are.

3. Following precedents elsewhere, the Governments in Nigeria and the Government of the United Kingdom agreed that as and when each part of the Federation of Nigeria, and eventually the Federation itself, became self-governing, the members of the Public Service from outside Nigeria should be eligible for lump-sum compensation for the ending of the career on which they had embarked under the auspices of the Secretary of State. Many of these officers were, and are, still needed in Nigeria; this is recognised by the Governments; and many officers wish to continue their service here. It was hoped that the willingness of the Nigerian Governments to grant fair compensation would of itself encourage officers to remain in their service. Unhappily the economic attractions of the compensation proved more compelling than the reasons inducing officers to stay and many officers have already gone from the service of the self-governing Regions.

4. During the Constitutional Conference of 1957, the Governments in Nigeria entered into agreements with Her Majesty's Government for the establishment of a Special List of Her Majesty's Overseas Civil Service that were designed to ensure for those officers who wished it a continuing career in Her Majesty's service. This was welcomed by many officers but did not provide a sufficient answer to the problem. Sir John Martin therefore visited us to seek some other plan.¹ From the report that he made to Her Majesty's Government there resulted the Statement of Policy recently presented to Parliament by the Secretary of State in Command Paper 497, a copy of which is sent with this letter. These proposals were generally welcomed and accepted by the Government of the Federation, which has expressed its gratitude to Her Majesty's Government in the United Kingdom for the generous financial help that they will entail, but asked that certain special benefits confined to officers under the ages of 41–44 should be extended to all officers. I do not think it likely that we shall be able to get this improvement in the scheme.

¹ See 418 and 421.

5. The help that Her Majesty's Government proposes to give to the Public Services in Nigeria is necessarily related to the one special characteristic of those Services, namely, the entitlement, actual or prospective, to lump-sum compensation of some of the members of those Services. This necessarily means that the full benefits of the scheme, which is to be known as Special List 'B', will not be available to officers of the Federal Public Service until the Federation becomes self-governing.

6. I hope that quite soon the Office of the Prime Minister will send to each officer affected a detailed explanation of the proposals, showing how they are to be applied in the special circumstances of the Federal Public Service and how the benefits are to be provided for, and enabling each officer to make his election to accept the scheme or not.² In the meantime, the Prime Minister and I have caused to be prepared the explanation of the scheme in layman's language that is also sent with this letter.

7. Will you please see that a copy of this letter is given to every overseas officer (including those on leave). In sending it to them I want to say how much I personally value the loyal and devoted service that they are giving to Nigeria and that I am sure those who accept the new proposals will continue to give in future.

8. The Prime Minister has seen this letter and the Note attached, and is in full accord with what I have said.

Note on Special List B

The Special List B proposals are explained generally in the Annex to Cmnd. 497. The purpose of this note is to explain them, as simply as possible, in their particular application to the Federal Public Service. An official circular will soon be issued that will set out in full detail the arrangements approved by the Government for the Federal Public Service and providing means by which officers may notify their wishes in regard to those arrangements. This note is intended for information only.

2. Serving overseas officers of the Federal Public Service who were offered permanent and pensionable appointment to that Service before 31st August, 1957, are eligible to join Special List B, whether or not they are already members of Her Majesty's Overseas Civil Service. Officers who are on Special List A may, if they wish, apply to transfer to Special List B. The rights, entitlements and conditions of service of a serving officer will be in no way diminished or impaired if he does not join either Special List.

3. The specific object of Special List B is to retain for service to the Federation officers who, for economic reasons, would otherwise feel themselves bound to retire with lump-sum compensation when they became eligible so to do, upon the attainment of self-government by the Federation. The way in which the scheme seeks to achieve this object is by assuring the officer of the continuance of the benefits of his present conditions and by enabling him in addition to get, while still continuing to serve, substantial parts of the economic benefits of compensation in advance of the date on which his service ends.

4. The officer who joins Special List B will thenceforward have the security of knowing that any pension, gratuity and compensation for which he ultimately becomes eligible will be paid by Her Majesty's Government, which will recover from the Federal Government.

² Although details remained to be settled with the Eastern and Western Region governments, Special List B came into operation in Oct 1958.

5. The only obligation that the officer must assume (apart from the unwritten obligation to continue to give loyal and faithful service to the Government that employs him) is that he must undertake to give not less than one year's notice, inclusive of earned leave, of his intention to retire. Unless such an obligation is undertaken, the Federal Government will be in impossible difficulties over planning the disposition of available manpower in the Public Service.

6. An officer on Special List B will have the right to appeal to Her Majesty's Government against any disciplinary decision which might prejudice his eligibility for pension or compensation.

7. As the Special List B proposals are related directly to the special circumstance of all Public Services in Nigeria in that they contain officers who are now (Eastern and Western Regions), or who will be next year (Northern Region), or who will be in about two years (Federation) entitled to compensation for the ending of careers of the kind to which they accepted permanent and pensionable appointment, the major benefits of the scheme, apart from the assurance of ultimate benefits described in paragraph 4 above, do not take effect until the officer is eligible for compensation. This may be disappointing to Federal officers who had looked for considerable immediate financial benefits; but the arrangement is logical having regard to the objective of the Scheme, it is a necessary consequence of the obvious inability of Her Majesty's Government to provide help for Public Services in Nigeria other than such as is directly related to the special circumstances of those Services, the benefits obtainable when self-government comes are considerable and are the same for all Services in Nigeria, and some immediate benefit is offered.

8. That immediate benefit is the entitlement to an advance, in each of the years before compensation becomes payable, of an amount equal to one-quarter of the officer's current annual pensionable emoluments. Such an advance will be payable only to officers who have completed three years pensionable service. The advances will be free of interest. They will ultimately be a charge against the compensation, pension or gratuity to which the officer becomes entitled at the end of his service; but for many officers there will be the benefit of abatement of the amounts advanced (as to which *see* paragraph 12 below). The ability to obtain these annual advances, free of interest, in each year before eligibility for compensation should help considerably in relieving officers of worry about financial provision for the education of children or towards the setting-up of a family home.

9. When the Federation becomes self-governing, the other benefits for which the Scheme provides will accrue. The first of these is that the Federal Government will be encouraged by financial help from Her Majesty's Government, to 'freeze' for more than the period of three years mentioned in the discussions of the Committee on the Public Services at the 1957 Conference (*see* paragraph 6 (m) (ii) of Annex II to the Report by the Conference—Cmnd.207) the compensation of officers whose compensation would otherwise decline by reason of their age, length of service and salary progression. Her Majesty's Government will meet the additional cost to the Federal Government of permitting officers to 'freeze' for more than three years after the introduction of the compensation scheme. It is hoped by this means to remove the inducement to older and more experienced officers whose services are needed by the Government to retire early lest their entitlement to compensation declines.

10. The next benefit, that accrues so soon as officers become eligible for compensation on the attainment of self-government by the Federation, is that each

officer is then entitled to an advance of 90 per cent of his total entitlement to compensation. This advance is also free of interest. From it there will, of course, be deducted the total of any annual advances of 25 per cent of annual pensionable emoluments under para. 8 above. Eligibility for the advance of 90 per cent of compensation entitlement should give the officer the economic benefits of adequate provision for the education of children or the setting-up of a home that would otherwise come only if he took his compensation and went. At the same time it will enable him to continue to serve the Federal Government with a mind relieved of much financial anxiety. Alternatively, the immediate entitlement to such an advance may be regarded as equivalent to the annual addition to salary of the amount of interest that could be earned on the sum advanced.

11. Each year after the introduction of a lump-sum compensation scheme these 90 per cent advances would be recomputed. If 90 per cent of the officer's recomputed entitlement was more than the amount already advanced to him, he would get the balance.

12. The next benefit is the abatement of these advances at the cost of Her Majesty's Government. That is to say, in some cases the officer will not be required to repay out of the compensation or gratuity due to him when he leaves the Federal service the whole of the amount that he has received from time to time in advances of the kinds described above. Her Majesty's Government will provide half the cost of each advance and would, were there no special arrangement to the contrary, be entitled to recover these amounts from the officer to whom they were advanced. It is part of the Scheme, however, that for each year of service (including paid leave) after the introduction of the lump-sum compensation scheme and before attaining the age of 41, an officer will be excused repayment to Her Majesty's Government of an amount equal to 20 per cent of his annual pensionable emoluments (and *pro rata* for parts of a year); for each year or part of a year of such service between the ages of 41 and 42, the rate of abatement will be 15 per cent; between 42 and 43 the rate will be 10 per cent; and between 43 and 44, the rate will be 5 per cent. There will be no abatement for service after the age of 44.

13. The introduction of these proposals will immediately involve the Federal Government in the payment of large sums of money as advances (and it is partly for this reason that it has not yet been possible to send out the official Circular). Her Majesty's Government will help by meeting half the cost of all such advances until such time as they are repaid (either in full or with the appropriate abatement) when the officers ultimately retire. Her Majesty's Government will also bear in due course the full cost of 'freezing' officers' rights to compensation for more than three years (para. 9 above) and of the abatement of advances (para. 12 above). The cost to Her Majesty's Government in respect of the application of the proposals to all Public Services in the Federation is given in para. 15 of the Command Paper as £1 million in the current financial year and £1½ million in the next financial year, with diminishing sums thereafter.

Statement of policy regarding overseas officers serving in Nigeria, Cmnd 497

1. In the Statement of Policy regarding the organisation of Her Majesty's Overseas Civil Service published in May 1956 (Cmd. 9768), attention was drawn to the acute staffing difficulties in the territories which comprise the Federation of

Nigeria and the need to make special arrangements to help create conditions which would encourage officers to remain in the service of the Nigerian Governments.

2. Her Majesty's Government in the United Kingdom announced their readiness to introduce a new scheme to establish a Special List of officers who would be in the service of Her Majesty's Government in the United Kingdom and seconded to the Nigerian Government employing them. After prolonged negotiations Special List Agreements for the introduction of schemes on the lines proposed in the White Paper were signed at the Nigerian Constitutional Conference in June 1957 and overseas officers in the service of the Nigerian Governments were invited to apply to join the Special List.

3. It is now clear that the terms and conditions of service laid down in these Agreements are not generally attractive to overseas officers serving in Nigeria and less than 400 officers out of the 2,000 eligible to join the Special List have so far applied to do so. Moreover, the great majority of these applications are from officers in the Federal and Northern Regional Public Services who, under the terms of the Agreements with those Governments, will have the right to revert to the local Public Services and to retire with lump sum compensation.

4. It seems that the reluctance of overseas officers to join the existing Special List is due in part to political difficulties, actual or apprehended, resulting from the transfer of power to local Governments, partly to the attractions of the lump sum compensation paid to officers who decide to retire from the Nigerian services and partly to dissatisfaction with present emoluments. The terms of the Special List which require an officer to continue serving in Nigeria so long as his services are required deprive him of the right to retire at his own option with lump sum compensation and, because of the uncertainties apprehended from the transfer of power to the local Governments, the loss of this right is not, in the view of the officers concerned, sufficiently offset by the assurances offered in respect of further employment and by the other benefits conferred by membership of the Special List. Nor has it proved practicable to improve the remuneration of Special List officers so as to remove the dissatisfaction with the level of current emoluments.

5. In these circumstances Her Majesty's Government in the United Kingdom have decided that a fresh approach to the problem is necessary and have made proposals to the Nigerian Governments for the establishment of a Special List B as in the Annex to this Statement. An explanation of these proposals and of the bases on which they have been drawn up is given in paragraphs 6 to 13 below.

6. In the first place an officer's incentive to leave would be much reduced if he could obtain, while continuing to serve in Nigeria, an advance of a substantial proportion of his entitlement to compensation. Officers who did not require to spend the advance on the education of their children or other immediate commitments would be able to invest it and so obtain additional current income to supplement their existing remuneration. Such advances are already granted in certain circumstances by the Government of the Eastern Region. It is therefore proposed that officers should be granted interest-free advances of 90 per cent of their entitlement to lump sum compensation, and that, to alleviate the substantial immediate financial burden which this would otherwise place on Nigerian Governments, half the cost of the advances should be met by Her Majesty's Government until such time as they are repaid when the officers ultimately retire.

7. A system of advances against compensation would not however by itself be

sufficient. For older officers the entitlement to compensation declines year by year, while for younger officers it is small. It is therefore necessary to allow for both situations and Her Majesty's Government's proposals accordingly envisage an extension of the 'freezing' device, the operation of which is explained in paragraph 8 below, and a system of abatement of repayment of advances. In both cases financial assistance to the Nigerian Governments would be given by Her Majesty's Government.

8. Without 'freezing' an officer's entitlement to compensation normally rises between the age of 28 and 41 and unless he is promoted then declines year by year until it reaches zero at the age of 55. By 'freezing' the entitlement is held at its maximum point for a period of years. It is obvious that this is an attractive arrangement for the older officer, who would otherwise see his entitlement diminish year by year. The longer the term of 'freezing' offered, the greater security for officers and therefore the greater their readiness to remain in Nigeria. Such 'freezing' on certain conditions and for limited periods has in fact already been introduced in the Western and Eastern Regions.

9. In order to assist Nigerian Governments to make more generous use of the 'freezing' provisions, Her Majesty's Government have offered to meet the whole additional cost of 'freezing' the compensation of officers on the proposed Special List B for more than three years after the date of introduction of the relevant compensation scheme, on the basis of the formula in the Annex to this Statement. This offer was made on the understanding that no conditions would be attached to the grant of 'freezing' privileges regarding the period which the officer in question would continue to serve, save that, in accordance with paragraph 4 of the Annex, each officer would be required to give not less than one year's notice, inclusive of earned leave, of his intention to retire.

10. As regards the younger officers, many of them will not be entitled to substantial advances in respect of compensation and none under the age of 41 will benefit in any way from 'freezing' privileges. It is therefore proposed that they should not be required to repay all of the advances made to them at the cost of Her Majesty's Government and that the amount which an officer would have to repay to Her Majesty's Government would be reduced by 20 per cent of his salary for each year of service under the age of 41 after the introduction of the relevant compensation scheme; there would be a similar but smaller reduction in the amount to be repaid in respect of service between the ages of 41 and 44 since at these ages officers do not benefit so substantially from 'freezing' privileges as do older officers. The whole cost of this concession would be met by Her Majesty's Government.

11. Lump sum compensation schemes have not so far been introduced in the North and in the Federation and are not expected to be introduced before Regional self-government in the North and before independence in the Federation. Meanwhile, in order that some immediate benefit may be offered to officers continuing in their Services, it is proposed that, pending the introduction of the full Special List B Scheme in the North and in the Federation, they should receive each year interim advances, also interest-free, equal to one-quarter of their annual pensionable emoluments. Half the cost of these would also be reimbursed by Her Majesty's Government. On the coming into force of the compensation schemes, they would receive the full benefit of the concessions proposed above.

12. To summarise therefore Her Majesty's Government propose that overseas pensionable officers admitted to List B should be required to give at least one year's

notice of their intention to retire; that they should be entitled to receive interest-free advances of 90 per cent of their entitlement to compensation, the cost to be shared equally between Her Majesty's Government and the Nigerian Government concerned; that Her Majesty's Government should agree to waive repayment of a part of the advance made to each officer under the age of 44, depending on the officer's age and his length of service after the introduction of the relevant compensation scheme; that for older officers there should be a generous extension of 'freezing' privileges, the cost of which would be met largely and in some cases wholly by Her Majesty's Government; and that, until the compensation schemes come into force in the North and the Federation, there should be a scheme of interim advances to officers there.

13. The remaining features proposed in the Annex to this Statement for the new Special List require little comment. As in the existing Special List it is proposed that the pensions, gratuities and compensation due to officers or their dependants should be paid by Her Majesty's Government and recovered from the Nigerian Government concerned. It is also proposed that the Nigerian Governments should undertake to provide fair and reasonable conditions of service which would in any case be not less favourable than those at present in force. In all other respects the officers concerned would continue to be members of the Public Service of the Nigerian Government concerned save that an officer would have a right of appeal to Her Majesty's Government against any disciplinary decision which might affect his eligibility for lump sum compensation or pension.

14. The Governments of the Federation of Nigeria and of the Northern Region have indicated their acceptance in principle of these proposals whereas the Governments of the Western and Eastern Regions have proposed certain modifications which are now under consideration.

15. The cost to Her Majesty's Government in the United Kingdom of these proposals, if they were acceptable in full to all the Nigerian Governments and the majority of overseas officers took advantage of them, is estimated to be £1 million in the current financial year and £1½ million in next year; thereafter diminishing sums would be required. It is not yet possible to say what the effect will be of the modifications proposed by the Governments of the Western and Eastern Regions, but it seems likely that, if modifications are made in the sense they propose, the scheme will be less attractive to overseas officers in these Regions and the cost to Her Majesty's Government in the United Kingdom would be reduced.

Annex: Special List B

1. All overseas officers who were offered permanent and pensionable appointment to the service of a Nigerian Government before the 31st August, 1957, will be eligible to join Special List B. Officers who are members of the present Special List and who join Special List B will cease to be members of the present Special List.

2. The Nigerian Governments will undertake to accord such officers fair and reasonable salaries, terms and conditions of service which will in any case be not less favourable than those they now enjoy.

3. The pensions, gratuities and compensation due to such officers or their dependants will be paid by Her Majesty's Government and, subject to the other provisions of this Memorandum, will be recovered from the Nigerian Government concerned.

4. Officers on Special List B will be required to give not less than one year's notice, inclusive of earned leave, of their intention to retire.

5. An officer on Special List B will have the right of appeal to Her Majesty's Government against any disciplinary decision which might prejudice his eligibility for pension or compensation.

6. In order to assist the Nigerian Governments in making use of freezing provisions as a means of encouraging officers who would otherwise retire to remain in the service, Her Majesty's Government will meet the additional cost of freezing attributable to freezing the compensation of officers on List B for more than three years after the date of introduction of the relevant compensation scheme. Her Majesty's Government's share of the compensation payable to such officers will be

(a) In respect of officers whose age, length of service and salary progression is such that their compensation computed in accordance with the approved table declines at any time during the first three years after the date of introduction of the relevant compensation scheme, the amount by which their entitlement to compensation would have declined, had it not been frozen, between the end of that three year period and the date of their retirement;

(b) In respect of other officers, an amount equal to the difference between the compensation they actually receive under the freezing scheme and the amount to which they would have been entitled had their compensation not been frozen.

7. An officer on Special List B serving in Eastern and Western Nigeria will receive from the Nigerian Government concerned an interest-free advance of 90 per cent of his entitlement to compensation. Half the cost of such advances will be reimbursed to the Nigerian Government concerned by Her Majesty's Government as an interest-free loan. The advance will be a charge against the compensation, pension, gratuity and death gratuity ultimately payable to or in respect of the officer. The advance will be computed with reference to the officer's pensionable emoluments, age and length of service at the date of his admission to Special List B and will be re-computed annually thereafter. If the advance so re-computed is larger than the amount already advanced to the officer he will receive an advance of the balance. If, on the other hand, the re-computed advance is smaller no adjustment will be made.

8. Similar advances will be made to officers in Special List B serving in the Northern Regional and Federal service as soon as lump sum compensation schemes are introduced in those services; in the meantime interim advances, also interest-free, equal to one-quarter of an officer's current annual pensionable emoluments will be made by the Nigerian Government concerned to any confirmed officer on his admission to Special List B if he has completed three years pensionable service or on his completing three years pensionable service and annually thereafter until compensation schemes are introduced. An interim advance will also be a charge against the lump sum compensation, pension or gratuity ultimately payable to or in respect of an officer and will be regarded as part of the 90 per cent advance made to an officer when the lump sum compensation schemes are introduced. Half the cost of such interim advances will be reimbursed to the Nigerian Government concerned by Her Majesty's Government.

9. The amount to be repaid by any officer to Her Majesty's Government in respect of its share of the advance made to that officer will be abated as follows. The

abatement will depend on the period (including paid leave) for which the officer serves after the date of introduction of the relevant compensation scheme. The rate of abatement will be 20 per cent of the officer's annual pensionable emoluments for each year of such service before he attains the age of 41 and *pro rata* for parts of a year. Between the ages of 41 and 42 the rate of abatement will be 15 per cent; between 42 and 43, 10 per cent; and between 43 and 44, 5 per cent. No abatement will be granted for service after the age of 44.

454 DO 35/10447

1 Oct 1958

[London constitutional conference]: minute by A W Snelling on the consideration of fundamental rights at the constitutional conference

I have attended the first two days of the Nigerian Constitutional Conference when the discussion has been concentrated on the question of fundamental rights. The Conference has now turned to other topics and will be reverting to these rights later. It may be useful for me at this stage to summarise the position as I see it.

2. Before the Conference began, the Secretary of State had a talk with the Colonial Secretary and made a number of points, one of which was that in our experience of dealing with newly independent Commonwealth countries it was on the whole better to launch a country into independence with the minimum number of changes in its previous constitutional instruments, and leave it to settle its own constitution after it became independent (i.e. the Indian pattern) rather than to settle before independence the full details of a post-independence constitution down to the last semi-colon (i.e. the Ghanaian and Malayan pattern). Though the Colonial Secretary accepted the Secretary of State's views on some other topics he did not accept this view and the Secretary of State agreed not to press it. The Conference has therefore been launched upon the understanding that its task is to settle in detail the terms of a post-independence constitution. However, the Prime Minister of the Federation the Hon. Abubakar, who speaks also for the North and who is in ability head and shoulders above the other Nigerians present, has made it clear that he at any rate is nearer to what I might call the C.R.O. view than to the C.O. view. He said in his opening speech that the constitution which emerges from the present Conference will probably 'form the basis of the future Nigerian constitution which Nigerians may wish to draw up for themselves in the light of practical experience of running an independent country'.

3. The second point we made to the Colonial Office before the Conference was on the broad question of fundamental rights. It had been agreed at the last Conference that the Colonial Office would produce a draft of clauses on fundamental rights for entrenchment in the constitution against which all legislation could be tested in the courts on the 'American model'. When we saw the Colonial Office draft we were horrified. I attach the despatch sent to Nigeria with the Colonial Office draft clauses on fundamental rights.¹ I believe that these are in general more detailed and wide-ranging fundamental rights than have ever been entrenched in the constitution of any country! They follow largely the report of the Nigerian Minorities Commission. But

¹ Annexes not printed.

this Commission simply reproduced as its own recommendations a draft with which the Colonial Office had surreptitiously provided it. Also they are modelled on the somewhat perfectionist International Convention for the Protection of Human Rights. Certainly such farreaching restrictions upon the freedom of the Governments of Nigeria to govern are in accordance with the wishes of the West and perhaps the East, and in fact, as discussion round the table shows, most of the Nigerians there present are frightened that other Nigerians also there present will take strong action against them after independence. But the North and the Federation are believed to be unhappy. We have not yet got on to the subject of the technique of entrenchment. But if all these rights are, as the Colonial Office suggest, to be entrenched in such a way that they can only be modified by a two thirds majority of the Federal Legislature and with the approval of two thirds of the Regions I believe that Nigeria will be born to 'freedom' shackled hand and foot as no country has ever been before.

4. In one particular respect these draft fundamental rights seem to me to be positively dangerous. That is that under them the Federal Government would never be able to exercise any powers of preventive detention e.g. to combat Communist subversion. None of the Nigerian politicians present have even dreamt of any external subversive threat of this character; all they are concerned about is denying to the Government arbitrary powers to use against minority factions in Nigeria. But it seems to me that there is a great danger that after independence Nigeria will become the prime target in Africa for Communist infiltration and subversion. I therefore spoke to the Colonial Secretary and said that so far as I could see this draft would prevent the Federal Government from taking powers to lock up Communists without public trial and that in the nature of things a trial could probably not be public because it would involve the disclosure of information of the M.I.5 type. The Colonial Secretary agreed that the Federal Government must have such power and thought it was not good enough to restrict its use to wartime or time of proclaimed public emergency. We have therefore re-examined the draft in the U.K. delegation with this in mind. I would have liked to secure amendment of (d)(1)(a) and (3). The Colonial Office, however, preferred to amend the draft at (o), & we have accordingly circulated to the conference a redraft which I also attach. The Colonial Secretary is going to try and enlist privately the support of the Prime Minister and the three Regional Premiers for an amendment on these lines. I hope that we can thus save something from the wreck and ensure that it will not be possible for subversive elements in Nigeria to use its ultra-democratic constitution to destroy democracy.

5. When we get on to technique of entrenchment I hope that the Federal Government and the North will resist the desire for the entrenchments to be too deep.²

² Sir G Laithwaite minuted (3 Oct): 'I think the CRO had better draft future constitutions.'

455 CO 554/1775, no 58

[Oct 1958]

'Provincial Administrations': memorandum by the Northern Region government

[The Hudson plan (see 384) to create provincial administrations in the Northern Region had been one of the factors to persuade the Willink Commission to decide against recommending the creation of a Middle Belt state. However, as this document submitted

by the Northern Region government to the 1958 London constitutional conference shows, there was in practice little enthusiasm in the NAs of the region to implement the Hudson proposals. Although a bill passed the Northern legislature in 1959 to establish provincial councils, these were purely advisory and bore little resemblance to Hudson's ideas; his plan was effectively dropped].

Section 234 of The Nigeria (Constitution) (Amendment) Order in Council, 1958, which gave effect to certain recommendations of the Nigeria Constitutional Conference, 1957, reads as follows:—

'(1) The Governor of the Northern Region may, by Instrument under the Public Seal, establish for any Province of that Region a Provincial Administration.

(2) A Provincial Administration established under this section shall have such functions as may be prescribed by the Instrument by which it is established or by or under any law and shall consist of:—

- (a) a Provincial Administrator, who shall be an officer in the public service of the Region;
- (b) a Provincial Authority, which shall consist of the Provincial Administrator, who shall be the Chairman, and such other members as may be prescribed in that Instrument; and
- (c) a Provincial Council, which shall consist of such members as may be prescribed in that instrument.'

This section was written into the Constitutional Instrument at the request of the Northern Region delegation to the Conference.

2. The Northern Region delegation to the 1958 Conference may be asked what action has been taken to establish Provincial Administrations. The paragraphs which follow give a suggested reply.

3. It has not been found possible to establish Provincial Administrations in the form recommended by Mr. Hudson, for the following reasons:—

- (1) There is deep and widespread opposition by the Native Authorities.
- (2) The administrative staff and capital necessary for both the establishment and successful operation of Provincial Administrations is not available.
- (3) It is politically inappropriate that Residents, who are all expatriates, should, as Provincial Administrators, hold positions of such local prominence.
- (4) The Hudson proposals attempted to achieve a uniforming throughout the Region which the present grouping of Native Authorities within a province makes impossible.

4. It has also become clear that the Terms of Reference of the Hudson Commission were based on the false assumption that there were responsibilities which the Regional Government could devolve upon Provincial Administrations. In fact, almost all responsibilities which could appropriately be delegated were already vested in Native Authorities; consequently, when the Hudson proposals were formulated it was found that few powers could be delegated from the centre and most of the duties which it was proposed to transfer to Provincial Administrations had to be taken from Native Authorities. This transfer of powers was justified in the main on the grounds that Provincial Administrations would be more efficient than Native Authorities especially as far as the more modern and technical services were

concerned. This aim can be attained by gradually bringing such service, under the control of a Provincial Committee.

5. The Northern Region Government has, therefore, decided that Provincial Administrations should not be introduced immediately. As a first stage towards a provincial organisation based on the principles recommended by Mr. Hudson and approved in the White Paper, Government proposes to establish Provincial Councils with elected members and committees to direct individual services in each province. Two Provincial Councils already exist and function extremely well. They are popular with Native Authorities and Government staff; questions are asked, motions debated, ideas exchanged and provincial *esprit-de-corps* is engendered. Committees will be Native Authority Committees and the ideal is Joint Committees for all the Native Authorities in a province or, if that idea cannot be achieved, Joint Committees of some Native Authorities in a province. If it is impracticable for some of the bigger Native Authorities to be linked with the smaller Native Authorities on Joint Committees, at any rate for some services, they can establish their own individual committees for these services. The Committees will be established for the services recommended by Mr. Hudson. Their establishment will be a gradual process and all will not necessarily be established simultaneously. Government Officers will be members of the committees to co-ordinate action and to ensure that Government's policy is carried out. The staff employed by the committee will be under the general direction of a Government Officer on the Committee. Native Authority control will, therefore, be replaced, to some extent, by Ministerial control.

6. The advantages of the committee system over the Hudson proposals are that it can be introduced piecemeal and can be shaped to suit the particular needs and circumstances of each province. Implementation can be gradual; mistakes can be readily corrected.

456 CO 554/1521

10 Oct 1958

[London constitutional conference]: minute by M G Smith on the consideration of the issue of new states at the constitutional conference

1. The 1957 Conference agreed not to the creation of new states but to setting up a Commission to enquire into minority problems, empowered only in the last resort to recommend the creation of new states.¹ The Commission has found that there is no case in any part of the country for the creation of a new state. Unless we are completely to ignore the careful and sober findings of the Commission we must conclude that there is even less reason this year than there was last year to contemplate now the creation of any new states.

2. But the Minority delegations and the Action Group are not so much pressing for the creation of new states now as that the next Federal elections should be fought to determine the extent of the demand for new states, so that as a result of those elections new states might be set up. The same delegations are joining with the rest

¹ ie the Willink Commission. See 432.

of the Nigerian representatives to press for independence in 1960. These demands are not compatible. If, following elections next year, the U.K. was asked by majority opinion in Nigeria to provide forthwith for the creation of new states, the U.K. could not regard it as consonant with its responsibilities to transfer power in 1960 while small new Governments, lacking experience, trained staff and a proper framework of administration, were struggling in an unsettled atmosphere to establish themselves in the country.

3. Furthermore, it should be borne in mind that the evidence submitted to the Minorities Commission suggests that the case for new states, not strong anywhere, is weakest in the North. Even if there proved to be a larger demand than the Commission found for establishing new states in the East and West, it seems very unlikely that there will be a majority demand for the setting up of a new state in any area of the North which could hope to stand alone as a state. The creation of new states in the South only would thus bring about a further unbalance—there would be an overwhelmingly powerful North facing 4 or 5 smaller states in the South.

4. Minority representatives at the Conference have argued that the new states for which they are pressing would prove viable because their inhabitants would be glad to cut their coat according to their cloth. It is very difficult to believe, whatever might be said in the first flush of enthusiasm for the idea of a separate Government, that the peoples of any one state would be content over a long period to enjoy a standard of living much lower than the rest of Nigeria simply to possess their own governmental machine. Poor relations are an embarrassment in any family.

5. It seems therefore as though the Conference has the following choices:—

(a) It can abandon the request for independence in 1960 and instead put the question of the creation of new states to the test either at the elections next year or in a series of plebiscites next year based on the new Federal electoral rolls. If it preferred to do this the U.K. would then convene a fresh conference after these elections or plebiscites to consider whether any new states should be created following the election results and, if so, what provision for them should be made.

(b) It can accept that to obtain early independence no new states can be created either now or as a result of next year's elections, so that the existing framework of government is adhered to at least until after the strains of independence have been taken. To this we could add that the U.K. recognises that the existing Regional boundaries and the Regions themselves cannot be regarded as sacrosanct for ever and that there must be some procedure after independence for the changing of these boundaries and for the creation of new states. The U.K. has proposals for suitable provision in the constitution to this effect.

6. The N.C.N.C. may urge that there is a third course—that there should be no new states created now but that, as they have proposed in N.C. (58) 38, there should be constitutional provision for the meeting of a Constituent Assembly within a year or so of independence to solve the question of new states and to redraw the entire constitution. To this we can reply that all our experience of the last few years in dealing with Nigerian problems has shown that the making of a complete constitution for a country of such size and diversity of interest as Nigeria is a lengthy, complex and painstaking task. The present constitution, parts of which will be carefully amended as a result of the deliberations of the present Conference, has been drawn up with great care over the years as a result of a series of close and detailed

agreements between the Nigerian Parties and the U.K. Despite all the work that has been done some of the problems faced are still proving intractable and it is unlikely that anything would be gained by scrapping the existing constitution and throwing all the problems at once into the melting pot of a Constituent Assembly. It will of course be open to Nigeria after independence to convene such an Assembly if this is the general wish. But the U.K. does not feel that it should make any constitutional provision for such an Assembly and so encourage what it believes to be the illusory idea that such an Assembly, containing no doubt much the same parties and persons as the present Conference, would be able to solve problems on which agreement is now proving difficult from sources of wisdom not at present available.

457 CO 968/668, no 51 16 Oct 1958
'Defence requirements in Nigeria': CO note of a meeting between Mr Lennox-Boyd and Mr Duncan Sandys on 14 Oct 1958

The Secretary of State explained that after taking advice from the Governor-General and the Regional Governors in Nigeria he had come to the conclusion that the most satisfactory way in which our defence requirements could be secured in Nigeria was by a Defence Agreement. A great deal of goodwill existed towards the United Kingdom, and at the July meeting of the Nigerian Defence Council the Federal Premier and Regional Premiers had affirmed that they were ready to maintain the air staging arrangement at Kano. The Federal Prime Minister, to whom the Secretary of State had broached the question of a Defence Agreement, had affirmed Nigeria's intention on independence to become a full member of the Commonwealth and to assume their share of responsibilities.¹ In particular, when the Secretary of State had put to him our full requirements as contained in paragraph 2 of the annex to COS(58) 220, Abubakar had said that there would be no difficulty about them.

2. The Secretary of State had not raised the idea of an enclave with the Federal Prime Minister. The Governor-General and the Governors had advised against it and he had come to the conclusion that an attempted retention of sovereignty by the United Kingdom over even a small area of Nigeria would be resented by Nigerians and would become a focus of political agitation in Nigeria, so much so that not only would the enclave itself be of doubtful effectiveness, but also that the ill-will engendered would make our rights under any agreement doubtful. An attempt to secure an enclave was most likely not only to fail in itself, but also seriously to jeopardise the attainment of a satisfactory Defence Agreement, which was otherwise well within our grasp. It was in his mind a case of going for what would best ensure the security of our requirements; and he preferred to build on Nigerian goodwill rather than ignore that and seek to coerce them into giving us an enclave by making it a condition precedent to independence.

3. Mr. Sandys explained that it was precisely on this last point that his opinion differed. Goodwill might exist now but could and did quickly dissolve. He was uneasy about the future in Malaya, where we had built on goodwill. Nigerian politicians were

¹ See 452.

a slippery lot, and he would feel much happier if we had a strip of territory in Nigeria which was undeniably British, and our rights over which we could assert if necessary by force. The grant of independence was the greatest thing we could give Nigeria and it should not prove difficult in giving this to reserve in this enormous country a portion which would be permanently ours. This would ensure against any abrogation of a Defence Agreement and make it possible at a time of crisis to use an airstrip for our vital staging requirements. He did not think that overflying to reach such an airstrip was likely to prove difficult in the case of an unwilling Nigeria, since to stop that they would have to shoot our planes down and he did not think they would go to those lengths.

4. During the course of further discussion, the Secretary of State said that it was his intention to be as explicit as possible with the Nigerians in regard to our requirements, but that he considered that he could best reduce the temptation to an independent Nigeria of wanting to abrogate an agreement, not by ensuring against its breach in the way Mr. Sandys had outlined but by making the agreement two-sided so that the interests of Nigeria would be equally engaged in observing the treaty. He mentioned certain things which the Nigerians might want us to provide—assistance in building up their Navy, training, the secondment of officers on easier financial terms than at present, and possibly a financial grant for the upkeep of Kano airport.

5. After further discussion it was agreed:—

- (i) that an enclave was not practicable;
- (ii) that before the Secretary of State named a day for Nigerian independence at the present conference, agreement should have been reached in as precise a form as possible, and in a way in which there would be no possibility of going back on it, on the following United Kingdom requirements which would eventually go into a Defence Agreement:—
 - (a) unrestricted overflying rights for Government aircraft;
 - (b) unrestricted rights to stage Government aircraft through Kano;
 - (c) rights of access on a non-discriminatory basis from Lagos to Kano for men, supplies and equipment;
 - (d) the use of Port Harcourt and Lagos in war;
 - (e) the lease of an area of land adjacent to Kano airport which the United Kingdom might at any future time develop for airstaging if it wished to do so.
- (iii) that officials should produce a draft of (ii) above, the draft to contain the Nigerian requirement so as to balance the Agreement.

458 CAB 129/95, C(58)213 20 Oct 1958
 [London constitutional conference]: Cabinet note by Mr Lennox-Boyd asking for approval of autumn 1960 as the date of Nigerian independence. *Annex*

[This document is the first to show the acceptance by the British government that October 1960 was to be the date of Nigeria's independence.]

I attach a memorandum reporting progress in the Nigerian Constitutional talks. I hope it will be possible for the Conference to agree by the end of this week on all

major outstanding issues. I expect also that the Minister of Defence and I will be able to reach a satisfactory understanding with the Nigerian leaders on a Defence Agreement. As the memorandum shows, I am sure that there is no alternative to Her Majesty's Government but to agree now to name a date for independence in the autumn of 1960. I therefore seek the concurrence of my colleagues to my announcing a date providing agreement is reached at the Conference on outstanding issues and that satisfactory detailed undertakings about defence are accepted by Nigerian Ministers.

Annex to 458

The Nigerian Constitutional Conference has now been in progress for three weeks. We aim to finish on Monday, October 27th.

2. The Conference has gone reasonably well so far. Satisfactory agreement was reached in the first week on the major question of the Police. The principle of a single force under the ultimate control of the Federal Government has been accepted under arrangements which will give Regional Governments a reasonable say in establishment, administration and day-to-day operational use. Safeguards are provided against improper political interference in Police matters. Agreement was also reached with relatively little difficulty on the important matter of revenue allocation. The recommendations of the Fiscal Commission headed by Sir Jeremy Raisman were accepted as they stood. We have agreed on the detailed arrangements for Northern Region Self-Government which will come into force on 15th March, 1959. We have reached agreement on a list of fundamental human rights which are to be entrenched in the Constitution. Their basic purpose is to protect the rights of the citizen against the State, but satisfactory provisions are to be included which should enable the State to deal with emergencies and subversive activities. We have dealt successfully with a wide range of lesser problems.

3. Discussions on such matters as the judiciary, electoral arrangements and the Public Service reflect a keen desire on all sides to ensure that these institutions are kept out of politics. I have been encouraged by the evidence that the Northern Region is ready to make a number of important reforms in its legal system which should bring the administration of justice more into line with modern ideas.

4. All this is very satisfactory, the more so since it has been apparent that there are still bitter and deep-rooted divisions, fears, and suspicions among the different races and political groupings. These fears are of course in themselves the driving force behind the desire for a carefully worked out and detailed Constitution, the main principles of which will only be alterable with difficulty.

5. It is unlikely that the Conference will succeed in allaying the fears of the minority groups. I have a great deal of sympathy for the minority view but I can see no other solution than to endeavour to construct a Constitution which will provide a reasonable chance of fair treatment for all. Of greater importance, however, is the major conflict between the predominantly Western Region Action Group and the Northern People's Congress, the major party of the North. It is apparent that for the time being at least the National Council of Nigeria and the Cameroons which forms

the Eastern Region Government under Dr. Azikiwe is lining up with the North. Consequently Chief Awolowo, the Action Group leader, has every reason to fear that on independence the West may be faced with a North-East alliance. Partly, if not mainly, for this reason he has pressed with great vigour for his major objective—the weakening of the North by the creation of a Middle Belt State and for changes in the Northern system of government. In so doing he has aroused bitter opposition from the North and the Conference has at times (as I predicted) been a stormy one. At no time has the hostility been directed at Her Majesty's Government.

6. The major question before the Conference has been whether the Federation should be broken up into more than the present three Regions. This remains at present unsettled. After over a week's debate I have told them that there can be no question of new states being created before independence, if independence is to come by 1960. I have proposed, however, that it should be recognised that the present regional structure is not necessarily immutable and that provision should be made in the Constitution for an orderly (but lengthy and difficult) procedure enabling the changing of regional boundaries and the creation of new states. My proposals are still being considered by the Conference but I think that it is likely that something on the lines I have suggested will in the end be accepted.

7. This brings me to the question of the date of independence. At the public opening session all the leaders repeated in clear terms their request for independence within the Commonwealth by 2nd April, 1960. Since then there have been passing references to the question but they have been content to get down to discussion of the detailed problems requiring settlement without demanding that I agree to the date *ab initio*. In private talks with the Federal Prime Minister and the others it has been made clear to me that the date 2nd April, 1960 is only advanced for bargaining purposes and that a date in the autumn of 1960 will in fact be acceptable. I have of course had doubts whether if a free choice were open to us Her Majesty's Government would be right to contemplate relinquishing control even by the end of 1960. It is clear that there are great and probably irreconcilable differences between the major groups and peoples. If the West continues to provoke the North and if Chief Awolowo were, as he hopes, to win power at the Centre at the end of 1959, the threat of an ultimate break-away by the North may become real. I would certainly not like to assert that self-government will in Nigeria be good government. There is a heavy responsibility on us therefore in taking a decision committing us to a definite date for Nigerian independence as much as two years ahead. I have given this matter very careful thought and have come to the conclusion that we should gain nothing by postponing a decision. All the parties in Nigeria are now firmly committed in public to securing at this Conference Her Majesty's Government's agreement to a firm date. Relations between this country and Nigeria could not be better than they are at the present time. To refuse the request would undoubtedly create an atmosphere of bitterness and distrust which would prejudice our future relations with an independent Nigeria and even if we were to refuse the request now we still could not delay independence for much longer. We would only have succeeded in giving the at present divided groups a common target—the United Kingdom—for political odium. To continue to govern a discontented and possibly rebellious Nigeria would also present wellnigh insoluble administrative problems in view of the transfer of effective power that has already taken place in the domestic field. It might even need substantial military forces.

8. I have, in accordance with the request of my colleagues at our last discussion, pursued the question of a Defence Agreement with the Minister of Defence. We have agreed on the list of facilities that we would want from Nigeria after independence and I have discussed with the Nigerian Prime Minister and the Premiers the proposal that there should be a Defence Agreement between our two countries. They welcome the idea in principle and are agreeable to our working out the details before independence with a view to having the agreement come into force at that time. The Minister of Defence and I propose to discuss the details further with the Nigerian Ministers during this week so that we can be sure that we shall get what we need before I make any statement about the date of independence. The proposed agreement will of course involve us in obligations to Nigeria. These are being examined in consultation with the Departments concerned but I believe that they will be such that this country must be prepared to accept if, on independence, Nigeria is to remain firmly inside the Western orbit.

9. I now invite my colleagues to agree that, provided the Conference is able to reach agreement on the outstanding questions and the Minister of Defence and I secure satisfactory detailed undertakings about Defence, I should inform them that Her Majesty's Government are prepared to grant independence to Nigeria in the autumn of 1960. I envisage that the date will be some time in October but I would need to fix the exact date in consultation with the Nigerian leaders.

459 PREM 11/2436

21 Oct 1958

[Date of independence]: minute by B StJ Trend to Mr Macmillan on Mr Lennox-Boyd's proposals¹

Prime Minister

At their last discussion on this subject on 11th September (C.C.(58) 71st Conclusions, Minute 5)² the Cabinet agreed, in principle, that we should adhere to the policy of granting full self-government to Nigeria provided that we were satisfied as regards the essential constitutional and military safeguards. These were:—

(a) *Constitutional*:—

- (i) That the administration of the Regions (including the Northern Region, which is to acquire independence on 15th March, 1959) will continue on satisfactory lines in the interval before the Colony as a whole becomes independent.
- (ii) That, when federal self-government is introduced, adequate arrangements will be made to maintain the unity of the country and to preserve the integrity of the police force, the judiciary, the public service, etc.

(b) *Defence*:—

- (i) That we shall retain staging and over-flying rights for our aircraft.
- (ii) That we shall retain the right to use the harbours at Lagos and Port Harcourt in war.

¹ See 458.

² See 449.

possibly (iii) That we shall retain the sovereignty in perpetuity over a small enclave of Nigerian territory.

(iv) That the Defence Agreement will come into force simultaneously with the institution of self-government rather than being signed (on the Malayan precedent) by the Nigerian Government in the exercise of their full powers after attaining independence.

The Colonial Secretary appears to be satisfied that we have secured, or shall secure, agreement on all these questions. There remains only the ultimate issue—shall we commit ourselves now to granting independence to Nigeria at a definite date in 1960? At the moment our only undertaking is that if, at the beginning of that year, the new Nigerian Parliament resolve to ask for full self-government in that year we will be ready to fix a date on which we will accede to the request—though this might not be the date asked for in the resolution. The Colonial Secretary is at pains to emphasise the risks of conceding now a specific date in 1960. Thus:—

(a) ‘There are still bitter and deep-rooted divisions, fears and suspicions among the different races and political groupings’. (Paragraph 4.)

(b) ‘It is unlikely that the conference will succeed in allaying the fears of the minority groups’. (Paragraph 5.)

(c) ‘I have of course had doubts whether, if a free choice were open to us, Her Majesty’s Government would be right to contemplate relinquishing control even by the end of 1960. . . . I would certainly not like to assert that self-government will in Nigeria be good government’. (Paragraph 7.)

Nevertheless he recommends that, on balance, we should undertake now to grant independence to Nigeria in the autumn of 1960 (subject, of course, to agreement being reached on the outstanding questions and on the details of the Defence Agreement). I think that he feels that, in practice, no other course is now open to us—we are too far committed already. But the Cabinet will wish to consider the precise timing of independence in the light of:—

(i) The preparatory work involved.

(ii) The proposal that the constitution of the Central African Federation should be reviewed in 1960.

(iii) The feelings of the old Commonwealth (particularly South Africa) about the enlargement of Commonwealth membership and the possible creation of an Afro-Asian bloc within the Commonwealth itself. (At present Canada, Australia, New Zealand, South Africa and the Federation balance India, Pakistan, Ceylon, Ghana and Malaya. Nigeria will be the first country to tip the numerical balance in favour of the Afro-Asian group.)

The question for decision, therefore, is whether, for any or all of these reasons, the Cabinet feel that the Colonial Secretary should make one final effort to defer independence for a little longer or whether we should accept that it is now practically a *fait accompli* and proceed on the basis of the timetable proposed by the Colonial Secretary in spite of the misgivings which he himself clearly feels.

460 DO 177/84

21 Oct 1958

[Date of independence]: minutes by M E Allen and A W Snelling on the proceedings of the London conference

In this report¹ the Colonial Secretary sets forth what has been achieved so far at the Nigerian Constitutional Conference, and seeks agreement to his informing the Nigerians that H.M.G. are prepared to grant independence to Nigeria 'in the autumn of 1960'; he thinks this will mean October, 1960.

2. The proceedings at the Conference have revealed clearly that Nigeria still has a long way to go before the different peoples and tribes in the country can develop a proper national consciousness. There has been little evidence that the Nigerians have yet learned to raise their eyes from their internal political divisions and see themselves as a unit exposed to the cold winds of international life. Ideally, therefore, there is much to be said for delaying Nigerian independence for some considerable time. But as the Colonial Secretary points out, we cannot do this without gravely damaging United Kingdom–Nigerian relations; so the Secretary of State will probably wish to agree with Mr. Lennox-Boyd's proposal for independence in the autumn of 1960. This is at any rate six months better than April 1960—the date we had feared.

3. The Colonial Secretary is certainly right in hesitating to assert that self-government will in Nigeria be good government. The proceedings of the Conference have already provided plenty of evidence to show that politics in Nigeria will be at least as tough as in the other African countries. Despite all the well-meant efforts of the Colonial Office to provide constitutional safeguards for minorities, it is fairly clear that minorities which seek to oppose the Governments of the majorities will, as in Ghana, find themselves last in the queue for the economic, social and other benefits which the Government is able to distribute. Nevertheless, so far as the United Kingdom is concerned it would appear that in the last resort we must make sure that the Government of Nigeria is strong, even if possibly undemocratic or unjust. The biggest danger facing Nigeria appears to be internal political disruption; it is therefore necessary to take risks in ensuring that the Federal Government has the power to keep Nigeria together. We have had a long running battle—which we do not pretend to have brought to a satisfactory conclusion—with the Colonial Office on this question. We think that in their concern to ensure the rights of minorities they have gone too far in binding down the Federal Government. Time will show whether they have been right in this course.

4. The Colonial Secretary's paper also refers to the projected defence agreement with Nigeria. A separate paper is being submitted on this for the Secretary of State's meeting with the other Ministers concerned before the Cabinet. The Nigerian Ministers have accepted in principle that there should be a United Kingdom/Nigeria Defence Agreement, and the Secretary of State will probably not wish to suggest in Cabinet that agreement to the date of independence should be made conditional on agreement being reached with the Nigerians on the details.

M.E.A.
21.10.58

¹ See 458.

I entirely agree with what Mr. Allen says.

The Constitution, which is in process of being agreed in Lancaster House, frightens me. It is the most rigid and therefore the most brittle Constitution so far as I know ever devised. All the Nigerians sitting round the table have been mainly concerned to limit the power that other Nigerians sitting round the table will be able to use against them after independence. Hence for instance the embodiment in the Constitution as 'Fundamental Rights' of virtually the whole of the European Human Rights Convention (which incidentally we in this country cannot even apply in Northern Ireland), so deeply entrenched that no single human right can be abrogated (save in a declared public emergency) in the slightest degree except after a two thirds majority in both Houses of the Federal Parliament and a simple majority in the Parliaments in two of the three Regions. The Colonial Office have aided and abetted the Nigerians in fabricating this rigid structure because they all think that Ghana is going to the bad. We do not share this view, regarding strong government in these new countries as essential. Strong government in Nigeria as I see it will be impossible. Every law passed by the Federal or any Regional Government can be tested in the courts against the Constitution—on the model of the American Supreme Court. This is going to create tremendous uncertainty because it will in some cases be years (including time for appeal to the Judicial Committee of the Privy Council) before it can be known whether a law that has been passed is legal or not. We have seen something of these difficulties in India. I fear that it may not be very long before somebody has to 'do an Iskander Mirza' with the Nigerian Constitution.²

A.W.S.
21.10.58

² Major-General Iskander Mirza, governor-general of Pakistan, 1955–1956, president, 1956–1958. On 7–8 Oct 1958, army generals seized power in Pakistan, abrogated the constitution and, through President Mirza, issued a proclamation dismissing the Cabinet, abolishing the legislature and declaring martial law. President Mirza was removed on 26 Oct.

461 CO 554/1548, no 48, CC 76(58)4 22 Oct 1958
 [Date of independence]: Cabinet conclusions agreeing to autumn
 1960 for Nigerian independence

The Cabinet had before them a memorandum by the Colonial Secretary (C.(58)213) reporting progress in the Nigerian constitutional conference.¹

The Colonial Secretary said that there was now a good prospect that agreement would shortly be reached on all outstanding issues and that a satisfactory Defence Agreement would be accepted by the Nigerian leaders. On these assumptions it was no longer possible to resist the Nigerian request that we should name a date in 1960 on which Nigeria should attain independence. He therefore sought authority to inform the conference now that, if the present discussions were concluded in a manner acceptable to us and if the Nigerian Government repeated their request after the Nigerian elections of 1959, we would then be prepared to undertake to grant full independence to Nigeria in the autumn of 1960.

¹ See 458.

In discussion there was general agreement that no useful purpose would be served by postponing this decision and forfeiting Nigerian goodwill. The balance of advantage lay in adopting the Colonial Secretary's proposal.

In further discussion the following points were made:—

(a) In the absence of a suitable coastal site, it might be impracticable to seek to reserve an enclave of British territory as a permanent military base. It was essential, however, that our overflying rights should be secured in a form which could not be legally challenged.

(b) It was for consideration whether, with this end in view, it would be wiser to defer conclusion of the Defence Agreement until the Nigerian Government were exercising full sovereign powers after attaining independence or whether we should take advantage of the existing goodwill to settle its provisions in the context of the constitutional discussions.

(c) The Defence Agreement would involve us in certain financial obligations which would need to be examined in greater detail by the Chancellor of the Exchequer before we incurred any firm commitment.

The Cabinet:—

Approved the proposals in C.(58) 213, subject to the points made in their discussion.

462 DO 35/10440

23 Oct 1958

[Defence agreement]: minute by Mr Lennox-Boyd to Lord Home on the handling of negotiations for a defence agreement

At our meeting on the 22nd October I said that we would prepare an outline of the Defence Agreement to show to the Federal Prime Minister and the Regional Premiers of Nigeria. Here it is.¹ I have already shown it to the Minister of Defence and he has agreed to it. It is not only in much less legalistic language than the previous draft but omits the sections referring to the charges to be paid by U.K. aircraft, the reference to arbitration, to status of forces and to duration, and it phrases the requirement for the 1,000 acres in such a way as to make it not an immediate requirement but one which we may take up in the future. I would explain, if pressed, that the reasons which might lead us to take up this option would be the possibility (at present remote) of the extent of our use of Kano, or of developments in the type of aircraft, overtaking the airport's facilities. This shorter draft has been considered by officials of our Offices and in the context of the new form as I outlined at our meeting it is, I understand, satisfactory to them.

2. The Minister of Defence and I will see the Federal Prime Minister and the Regional Premiers and endeavour to secure their agreement to this draft, and ask them to initial it so that between now and Independence officials may have some authoritative guidance available to them to work on. As you know, the present conference is a conference of political parties, not of Governments, designed to clear up a number of outstanding problems left over from the 1957 conference (a Defence Agreement was *not* one of them) before the achievement by Nigeria of independence. It would not therefore be appropriate that the conference should discuss the draft

¹ See 463.

agreement, and it would be equally inappropriate that I should formally interpose yet another hurdle (in the shape of the satisfactory conclusion of a Defence Agreement) between the Nigerians and their achievement of independence. An agreement negotiated in such an atmosphere would not last long. But the Nigerian Premiers have expressed such willingness to accept the responsibility of Commonwealth membership, and to recognise the vital nature of our defence requirements in their country, that I feel there would be no difficulty in my referring at the final conference session to the fact that whilst the Federal Prime Minister and the Regional Premiers were over here I had taken the opportunity to discuss with them a matter of vital importance to us all as future equal members of the Commonwealth, namely the outline of a Defence Agreement which it was our mutual intention Nigeria should sign on Independence. I would add that I was happy to say we had reached agreement on the outline of the way in which we could best help each other; and I would explain that this was in mutual assistance in defence matters: on the U.K. side assistance in the supply of equipment, training and staffing, and on the Nigerian side the provision of overflying and staging facilities for the U.K; and that between now and Independence the actual agreement would be elaborated in consultation, and finalised. There were, as the Nigerians knew, a number of matters which would require to be covered by further study or agreement before the actual date of Independence. This was one of them, and it was the intention of the Federal Prime Minister and the Premiers on the one side and H.M.G. on the other that an agreement should be signed covering these mutual defence interests on the achievement of independence.

3. Once I have said this I doubt if it will be possible to conceal from the Press the fact that this is on the assembly line, and whilst I do not think that inclusion in a Press communique would add anything to the commitment of the Federal Prime Minister and the Regional Premiers to the outline, there might well be advantage in including a short reference to the fact in the Press communique on the day in order to stop wild rumours getting about.

4. I have addressed this minute to the Secretary of State for Commonwealth Relations, the Minister of Defence and the Financial Secretary to the Treasury, and copied it to the Secretaries of State for War and Air.² I should be most grateful for your very early agreement, as the Minister of Defence and I must be in a position to see the Nigerian Premiers on Friday and to make my statement to the conference on the following day.

² Jocelyn Simon, financial secretary, 1958; Christopher Soames, secretary of state for war, 1958–60; George Ward, secretary of state for air, 1957–60.

463 CO 968/668, no 69 24 Oct 1958
 [Defence agreement]: CO note of a meeting on Nigerian defence held at Lancaster House.¹ *Annex*: Outline of proposed defence agreement

The Secretary of State reminded the meeting he had already spoken to the Prime Minister of Nigeria and the Regional Premiers about the vital problems of defence

¹ The meeting was attended on the UK side by Mr Lennox-Boyd, Mr Duncan Sandys and Sir J Robertson and for Nigeria by the federal prime minister and three regional premiers.

which faced jointly all members of the Commonwealth. He had reported these talks to his colleagues and had told them of the assurance he had received that if Nigeria attained Independence within the Commonwealth she would feel herself indissolubly linked to other members in facing common dangers with them.

He thought they all recognised the need to give 'teeth' to general declarations of this sort. It was therefore necessary to elaborate in somewhat greater detail methods of helping one another. Her Majesty's Government realised that Nigeria would be assuming great obligations on Independence and they would do all they could to help. Similarly there were certain definite ways in which Nigeria could help the United Kingdom. It would not be appropriate to discuss these matters in the Conference, which was not a meeting of Governments, though he thought he should make a passing reference to the talks in his closing speech to the Conference.

He had drawn up, in accordance with what he hoped was the spirit of their earlier meeting, a list of the sort of things which they had in mind. If all agreed that this represented a fair approach, advisers on each side should get together between now and the next Federal Elections and work out the proposals in greater detail; thereafter they should proceed to embody them in a formal agreement to be concluded on the attainment of Independence. The Secretary of State then read out the attached document.

The following comments were made on the document;—

Paragraph 2.

The Secretary of State said that he had spoken to the First Lord and the Secretaries of State for War and Air and they would do all they could to help in these matters.

Paragraph 4.

The Secretary of State explained that H.M.G. did not want the defence interests of Kano Airport to the Commonwealth as a whole to prejudice its development as a Civil Airport. It might, therefore, be better at some stage to construct a separate Military Airport. The Minister of Defence said that it was essential that the 150 acres to be leased should be contiguous to Kano Airport. The Governor General commented that it had been possible so far to make the old Airport building at Kano available for staging purposes.

The Prime Minister thought that one thing had been omitted. The use of Kano by military aircraft might involve a supply of aviation spirit beyond the existing capacity of the inland transport system; in this eventuality he hoped the United Kingdom would be willing to help with the provision of extra wagons. This was readily agreed to.

The Prime Minister also commented that if the option to build an alternative Airport to Kano were taken up it might well be wise for it to be somewhat distant from Kano, since the Kano area was over-populated and a Military Airport might impose undue risks on the civil population. The Minister of Defence agreed but pointed out that if a new Airport was to be some distance from Kano it might well be most advantageous to go a long way away, possibly to the Coast, in order to overcome the inland transport difficulty and to avoid Air Traffic control complications.

The Secretary of State said the sort of thing he had in mind to say in his final speech to the Conference was to the effect that he was glad to be able to tell the

Conference that the Prime Minister and Premiers and H.M.G. were at one in believing that there will be mutual advantage in co-operating in the defence field and that they had exchanged views and reached agreement on the facilities and help which each country would render to the other after Independence. There was general agreement to this.

The Secretary of State explained that he had not asked Dr. Endeley² to attend the meeting since the Southern Cameroons was a Trust Territory, which raised special considerations as regards defence. The Governor General would, however, have a word with him about it. The Prime Minister agreed that this course was correct.

The Secretary of State enquired whether they all considered that the document he had read out fairly represented their mutual undertakings. At this point copies of the document were distributed to the Prime Minister and the three Premiers, and after reading it all expressed their agreement with it. The Prime Minister reminded the Secretary of State that he had always said that they recognised the obligations of membership of the Commonwealth and were determined to play their full part. The Secretary of State suggested that they should write to him confirming their agreement before he made his final statement on the following day, but the Sardauna interposed that it was a brotherly meeting and a simple record of the meeting would suffice. Dr. Azikiwe suggested that the best way to signify agreement would be if they all initialled one copy of the document then and there. This was done and it was agreed that no formal record of the meeting would be circulated.³

Annex to 463

1. An undertaking by the two Governments to afford one another such assistance as may be necessary for mutual defence.

2. U.K. to provide Nigeria, on request and on terms to be agreed, personnel to help in the staffing, administration and training of the Federal Armed Forces; training facilities for members of these Forces; expert advice and assistance in operational and technical military matters; and assistance in the supply of military equipment.

3. Military aircraft of either country, including aircraft under the control of the armed forces of either country, to enjoy unrestricted overflying and airstaging facilities in each other's territory.

4. Nigeria to lease to the U.K. (on terms to be agreed):—

(a) a piece of land at Kano (of up to 150 acres) on which the U.K. may construct facilities and station personnel for staging purposes;

(b) on application by U.K. a piece of land large enough (about 1,000 acres) for the construction and operation of an airfield and staging post, if for any reason Kano became unsuitable.

² Premier of the Southern Cameroons from May 1958.

³ Following the initialling of the draft agreement, Lennox-Boyd minuted the outcome to Macmillan. Macmillan replied: 'I do indeed congratulate you on your unflagging zeal. You and you alone have produced this result. Well done!' (PREM 11/2436, Macmillan to Lennox-Boyd, 25 Oct 1958).

5. Nigeria to permit supplies and equipment required by U.K. for the purposes of the Defence Agreement to be moved without hindrance or discrimination to and from Kano or other staging airfield.

6. Nigeria to afford U.K., in time of emergency, such port facilities at Lagos and Port Harcourt as H.M.G. may request.

7. The above, and such other necessary provisions, to be elaborated and embodied in a formal agreement to be concluded between the two Governments on Independence.⁴

⁴ This document was initialled by Lennox-Boyd, Tafawa Balewa, Awolowo, the Sardauna and Azikiwe.

464 CO 554/1548, no 51

25 Oct 1958

[London conference]: statement by Mr Lennox-Boyd on the UK government's willingness to accept 1 Oct 1960 as the date of Nigerian independence [Extract]

[The most significant decision of the 1958 London conference concerned the date of independence. On 25 Oct Lennox-Boyd announced, as the following document shows, that the UK government would be willing, if the appropriate resolution was passed by the House of Representatives in early 1960, to introduce a bill in Parliament to give Nigeria independence on 1 Oct 1960. It was also agreed at the conference that the Northern Region should gain regional self-government on 15 March 1959.¹ Other decisions of the conference included the acceptance, without amendment, of the report of the Raisman Fiscal Commission (see 431) and agreement to entrench clauses in the constitution (alterable only after a two-thirds vote in every legislature and the House of Representatives) dealing with fundamental rights. The discovery of oil in commercial quantities raised the question of the continental shelf; it was decided that the continental shelf should be treated as federal territory but that mining and mineral royalties would be divided 50 per cent to the contiguous region, 20 to the federal government and 30 to a distributive pool. No change was made to the issue of the female franchise in Northern Nigeria; women in the North continued to be denied the vote in both regional and Federal elections. Perhaps the most contentious issue at the conference concerned the report of the Willink Commission on minorities, with the AG countering the report by insisting on the creation of new regions. In the face of NCNC–NPC co-operation however—and Lennox-Boyd's statement that the creation of new regions would delay the date of independence—the AG agreed to a compromise whereby no new regions would be created but procedures for creating new regions and for changing boundaries after independence would be incorporated into the constitution. In addition the long debate over the regionalisation of the NPF was resolved in favour of maintaining it as a unitary force, but with the establishment of a Police Council, including the Prime Minister and regional Premiers, to allow more regional influence in policing matters. *Report of the Resumed Nigeria Constitutional Conference held in London in September and October 1958* (Cmnd 569).]

... Throughout our talks I think we have all been conscious of the many dangers that confront the free world today. Nor have we failed to recognise that an independent Nigeria will be subject to many pressures which have not been so clear or so dangerous while she has been—however populous and powerful—a colonial territory. In this connection I am glad to tell the Conference that the Prime Minister and the Premiers and Her Majesty's Government are at one in believing that there will be mutual advantage to us all in co-operating in the field of defence, and we have

¹ The date chosen was the anniversary of Lugard's attack on Sokoto in 1903.

exchanged views and reached unanimous agreement on the facilities and help which each country will render to the other after independence.

In the light of all these developments in the last sixteen months and in response to the wishes of all the Delegations, and bearing in mind what I have said on behalf of Her Majesty's Government at various stages of the Conference, I am glad to be able today to be more forthcoming on the question of independence than I felt able to be at the last Conference. During the last few weeks I have heard a particular date constantly mentioned, and I have from time to time whipped out my diary and my history books to see what particular significance attaches to the date of 2nd April, 1960, and I must confess that I have not been able to find that there is any particular special significance about that particular date. Perhaps I could venture to speculate that you felt that proposing a date for the wedding seemed more definite than announcing that a marriage has been arranged. But our concern—all of us—must be not so much to accept or not to accept a particular date as to make sure that there is proper time to complete the preparations for the great event. 1959 is going to be a year of intense constitutional activity in Nigeria. There will be Regional self-government for the North; there will be the preparations for, and then the holding of, the Federal elections towards the end of the year. I think we will all agree that when the new Federal Government is formed it will need to hold final discussions with the United Kingdom government before the Act of Independence can be drawn up and the final Constitution Orders drafted. A date in April would give the new Government and the United Kingdom Government only three to four months at most in which to complete satisfactorily these most important tasks. I do not think that is really enough. A date in the summer would not I think be fitting for the celebrations which no doubt you will wish to hold and which will be of historic significance for Nigeria, for the Commonwealth, for all Africa, and indeed for the whole world.

With all this in mind I am authorised by Her Majesty's Government to say that if a resolution is passed by the new Nigerian Parliament early in 1960 asking for independence, Her Majesty's Government will agree to that request, and will see that the necessary legislation is passed to enable Nigeria to become a fully independent country on 1st October, 1960; and I know that the prayers of millions of people throughout the world will be with you all as you embark on this great adventure of trust and responsibility.

465 CO 554/2122, no 60

27 Oct 1958

[African Continental Bank affair]: CO note on Dr Azikiwe's undertakings on the future of the African Continental Bank

Following the report of the Foster Sutton Tribunal of Inquiry, which was published in January 1957, Dr. Azikwe undertook:—

- (i) to surrender his shares in the African Continental Bank without compensation;
- (ii) to repay to the Bank the Director's Fees of £5,252 which were paid to him after public money had been injected into the Bank, on the understanding that this sum was a debt due to him which waited to be met out of the Bank's current earnings.

2. At the same time it was stated that further study was being given to the future of the Bank and in particular to the possibility of all its capital being acquired by the

Eastern Regional Government. Later, in April 1957, Dr. Azikwe announced in the Regional House of Assembly that, subject to the amendment of the constitution to make such a course legally possible, the Eastern Regional Government proposed to introduce a Bill to nationalise the African Continental Bank. It was explained that the intention was to establish a statutory corporation to take over the existing interests and liabilities of the Bank and to carry on business of commercial bankers thereafter.

3. We have had no confirmation that Dr. Azikwe has either surrendered his shares in the Bank or refunded his Director's Fees. The former point raised some difficulty since Dr. Azikwe's shares were not fully paid up and in his statement on the future of the Bank in April 1957 he said that the legal aspects of this question were under consideration and that he hoped to be able to make a further announcement later. No further information on this has, however, been received in the Colonial Office.

4. As regards the nationalisation of the Bank, the necessary amendment to the constitution was agreed at the 1957 constitutional conference and was made by Order in Council effective from the 30th August, 1957. At about the same time the Eastern Region Executive Council reached the following conclusions:—

'(a) Agreed that a firm of Bankers should be invited to examine the present capital structure of the African Continental Bank with a view to determining a fair purchase price for its shares;

(b) that upon the completion of (a) above, the Eastern Region Development Corporation should be directed to make an offer of purchase of all those shares held by private persons other than the Honourable Premier;

(c) that exploratory conversations should be entered into by the Ministry of Finance with a view to enlisting a reputable external bank to advise on the reorganisation of the Bank with particular reference to its future capital structure; a training and recruitment policy for Nigerian Bankers and the question—to be considered last of all—whether the shares of the Bank in its final form should be held by a statutory Corporation or by Government in its own right; and possibly to enter into a managing agency agreement for a limited period, subject to further reference to Executive Council of the final arrangement proposed.'

In accordance with (a) above the firm of Price, Waterhouse & Co., Accountants, were appointed in January 1958:—

'to examine the assets and liabilities of the African Continental Bank Limited and to make recommendations in the light of the prevailing circumstances as to an equitable purchase price for the shares of the Bank and as to the future capital structure of the Bank in the light of any reorganisation which might be made in future.'

5. The firm began its work in May 1958, and its report (of which no copies are available in the Colonial Office) was submitted to the Eastern Region Government in September last.

6. It is the view of the Bank of England that little is likely to come of the suggestion in (c) of the Executive Council conclusion recorded in para 4 above that a reputable Bank might be prepared to run the A.C.B. on a managing agency basis. It was felt that what was needed were proposals for dealing with losses and advice on reorganisation from an experienced commercial Banker, followed by the

appointment of a good General Manager. It is understood that the representatives of Price, Waterhouse and Co. have been able to make use of their somewhat vague terms of reference to offer some advice on the reorganisation of the Bank.

466 CO 554/1556 20 Nov 1958
[Commonwealth membership]: minute by C G Eastwood on the possible reaction by South Africa to Nigeria's membership of the Commonwealth

Secretary of State

The question has been raised whether we ought to do anything at this early stage about Nigeria becoming a Member of the Commonwealth when it becomes independent.

2. Obviously nothing formal can be done until the Federal House elected at the end of next year has passed a resolution asking for independence and the United Kingdom Bill has passed its second reading, which will not be, I suppose, until the summer of 1960. But there might be need for some preliminary 'softening-up' of the more difficult Members of the Commonwealth.

3. You will remember that in the case of Ghana Sir Anthony Eden who was then Prime Minister wrote a letter to all the Commonwealth Prime Ministers when they were in London for the 1956 Prime Ministers' Conference. The position was then much the same as it now is in regard to Nigeria, i.e. a general election was to be held and if thereafter a motion calling for full self-government within the Commonwealth was passed by a reasonable majority the United Kingdom Government were committed to implement it. The date for independence was likely to be March, 1957. The letter to the Prime Ministers asked them to record their agreement in principle to acceptance of an application for Commonwealth Membership from the Gold Coast when it achieved full self-government, on the understanding that formal concurrence would be sought when the question became actual. All the Prime Ministers agreed but Mr. Strijdom, in a letter in which he, perhaps deliberately, rather misunderstood the position, urged that in the case of similar requests in future prior agreement should be arrived at between Member States before (apparently) the U.K. Government committed itself to sponsoring the admission of the emergent territory to membership.¹ There was further correspondence with Mr. Strijdom and when formal application for membership was made there were no dissentients.

4. In the case of Malaya there was some preliminary 'softening-up' of Mr. Strijdom by Sir Percivale Liesching and the question was then formally put on the agenda of the Commonwealth Prime Ministers' meeting for July, 1957.² Malayan independence was of course then only 2 months distant (31st August, 1957). There was general agreement in principle that Malaya should be accepted as a Member of the Commonwealth if on achieving independence she applied for membership. In the final communique they 'looked forward to being able to welcome an independent

¹ See BDEEP series B, vol 1, R Rathbone, ed, *Ghana*, part II, 234.

² See BDEEP series B, vol 3, A J Stockwell, ed, *Malaya*, part III, 444-445, 457-458.

Malaya as a Member of the Commonwealth on the completion of the necessary constitutional processes'.

5. In the case of Nigeria the obvious course would seem to be to mention the subject at the next meeting of Commonwealth Prime Ministers, either formally at the Conference or informally as in the case of Ghana. I understand from the C.R.O. that there are at the moment no definite plans for another meeting of Prime Ministers since so much depends on the timing of the United Kingdom General Election, but it seems to them almost inevitable that a further meeting should be held before October, 1960. The times least inconvenient to other Prime Ministers are July/August or mid-winter (in which case the meeting would probably not be in the United Kingdom). A meeting either in July/August, 1959, or in that winter would, I should have thought (and the C.R.O. agree), be quite time enough for making the first move.

6. There is one other point which I should mention. We must guard against any move for Ghana and Guinea to federate within the Commonwealth prejudicing the possibility of Nigeria becoming a Member of the Commonwealth. It is conceivable that if in some way Guinea came within the Commonwealth it might make South Africa and perhaps Australia feel that there were already enough black Members of the Commonwealth so that they were reluctant to agree to Nigeria's membership. Both we and the C.R.O. have this point very much in mind. It affects our consideration of the Guinea question but need not I think at this stage affect the question of approaching other Members about Nigerian membership.

7. I would propose no action at the moment but to have the file brought forward at three monthly intervals for further consideration.

467 CO 554/2122, no 82 2 Dec 1958
[Political situation]: letter from Sir J Robertson to Sir J Macpherson
expressing concern at the implications of the NCNC-NPC
rapprochement. *Minute* by A Emanuel

Since I returned from the Conference I have been rather worried at the way in which the N.P.C. have been boosting up Zik's prestige, and there has been a good deal of speculation in the local newspapers about the meaning of what is being said. Zik is supposed to have done very well at the Conference. It was he who helped the N.P.C. to resist the Action Group's demand for a Middle Belt state. It was he who said he could not agree to the Ilorin/Kabba merger. Rumours have been flying about that after the next Federal elections Zik is to be the Prime Minister of the Federation.

I have mentioned these rumours and the general atmosphere to the Prime Minister more than once and have asked him what it means. He told me that Ribadu, who has been the chief N.P.C. spokesman, has been boosting Zik in order to annoy Awolowo and that it means nothing and that the N.P.C. is not committed in any way to Zik except that the two parties, the N.P.C. and N.C.N.C. have agreed not to campaign against each other in the forthcoming elections.

When I was at Kaduna ten days ago I took the opportunity of asking the Sardauna what was behind all this. He said exactly the same as Abubakar. That the N.P.C. was grateful to Zik and the N.C.N.C. for the support they had given them at the

Conference, and he also mentioned Ribadu's eulogies of Zik as a method of playing down Awolowo. I asked the Sardauna point-blank whether he had agreed that Zik should be the next Prime Minister and told him that I thought that whilst Zik was a clever, astute and somewhat unscrupulous politician, he was no administrator and his efforts at running his party and his region had proved singularly unsuccessful. I supposed that he was similarly most unlikely to make a success of running the Federation of Nigeria. The Sardauna assured me that there was nothing in the rumours and that he had come to no agreement with Zik about the future.

The other day Zik returned from the U.K. on the 'Aureol' and his party staged a very large reception for him at Apapa, a drive through Lagos to the racecourse and a rally at the racecourse. Two of the N.P.C. Ministers, Alhaji Ribadu and Alhaji Inuwa Wada, went to greet him at the steamer and also attended the rally at the racecourse. Later on the same evening, Ribadu gave a cocktail party for Zik at which he made a very fulsome speech. The Prime Minister was present at this party for a short time but left very early.

On Sunday morning I had a talk with Abubakar and I again mentioned my fear that the N.P.C. were going to get themselves involved with Zik and they might, I said, find that they had been nourishing a cuckoo in their nest and he would later on find some way of turning them out. Abubakar said that he had not been very happy with the reception which Zik had received because, although Zik had helped the N.P.C. considerably at the Conference, he knew as well as everyone else did that Zik would make a poor Federal Prime Minister. He said that he had so disliked Ribadu's party that he had left very shortly after it had begun.

This morning after the Council meeting, Ribadu asked if he could come and see me and in conversation lasting for practically an hour, he explained what he was trying to do. He said that the Prime Minister had told him I was anxious about what had been happening and he assured me that nothing was further from his mind than to do anything to prevent a Northerner from being Nigeria's first Prime Minister after Independence. He said that his reasons for boosting Zik were, as I had been told, firstly to annoy Awolowo and secondly to show the N.P.C.'s gratitude to Zik for the line he had taken at the London Conference. After long discussions of past history, in which he showed how the N.P.C. had been deceived both by the N.C.N.C. and also by the Action Group in the past, he assured me that he and all his party thought that the best thing that could happen for the North and for Nigeria would be for Abubakar to be Prime Minister for the next ten years. He said that no-one he knew would ever be able to obtain the same support and respect throughout the country as Abubakar had done. He said that if Awolowo became Prime Minister Nigeria would shortly become a dictator state and that those in positions of authority in the North such as the Emirs 'would be destroyed'. He said that if Zik became Prime Minister the Northern policy of Northernisation would speedily be altered as Zik would be compelled to find occupation for Ibos throughout the North. Ribadu seemed to be quite sincere in all he said and I have no reason to suppose that he was not. At the end of our interview however I warned him that sometimes people dug pits for others to fall into and fell into them themselves, and I hoped he would be able to moderate his exuberant eulogies of Zik in future as if it is widely enough rumoured that Zik is to be the next Prime Minister quite a lot of people may accept the rumour as a fact. The N.P.C. may find it far from easy to get their own way.

I thought I had better report this to you as no doubt you and others in the Colonial

Office have been wondering what it is all about. I am sending copies of this to Rankine, Stapledon, Bell and Field.

Minute on 467

This is a very delicate matter. I have no doubt it would be a disaster if Zik were to become P.M. and I think the same would probably be true of the Sardauna or Ribadu. It also seems inconceivable that Awolowo could keep the country together even if he were elected. Abubakar is obviously the best hope. *But* there are considerable dangers in any action which would give the impression that the U.K. favours one rather than the other. It may in the first place prejudice the chances of the favoured one, who might be susceptible to the charge of being an 'imperialist stooge'. This charge would be damaging even if he acceded to power on the result of elections. Secondly if the U.K. choice was not successful, but it was known that we did not favour the actual choice, U.K. relations with the new P.M. would obviously be prejudiced. I don't suppose X means that Sir James Robertson has stated that we want a Northerner but the words used seem to imply it. I feel that this is a matter in which, particularly at this stage, so long before independence, discretion is the better part of valour and we should avoid being very definite about our preferences. In politics struggles for leadership tend to be obscure except to those directly involved and the consequences of outside interference are not always easy to predict. For example I am not at all sure that public ventilation of the idea that Zik should be P.M. might not, in the end strengthen Abubakar's position by creating a reaction in his favour. It may be sound to allow some public controversy on the subject in the hope that the right choice will eventually be made with the right degree of public support.

A.E.
9.12.58

468 CO 554/1841, no 29

4 Dec 1958

[Political situation]: dispatch no 50 from Sir G Bell to Mr Lennox-Boyd on the future of the Northern Region in an independent Nigeria
[Extract]

... 10. In previous despatches I have tried to judge the probable development of regional and federal relations. From what I saw and heard at the Conference I am, I fear, reinforced in my previous view that the ties binding the North to the rest of the Federation are very vulnerable.¹ It is not difficult to foresee a set of circumstances which might lead to a serious breakdown in the machinery of federal government and a rapid drawing away by the North to the position which they took up in 1953, and of which the Premier has spoken to me more than once.

Certainly the prospects for the co-operation of the three Regions in self-government are not encouraging. So long as the North solidly holds its present

¹ Eastwood added in the margin at this point, 'I got the impression at the Conf.ce that they were growing in strength rather than the reverse'.

predominance, Awolowo has no chance of becoming Federal Prime Minister and the West no hope of controlling the Centre. The West's sole object therefore, as it showed at the Conference, is to dismember the North by gaining the votes of its minorities and establishing a new Region. The North, well aware of the animosity which this conduct is likely to cause, is equally capable of joining with the East both to defeat this and to carve out in retaliation a Mid-West State from the Western Region, should the Federal Elections of 1959 give them voting power to achieve this. There is at present no hint of conciliation.

The temptation in the face of this is to suggest a loosening of the ties of the Federation and so reduce these rivalries as the Regions go their own ways. But the advantages of this would, I think, be transitory, the disadvantages permanent. At present, Nigeria stands as the most populous and largest African state south of the Sahara. It has recently reaffirmed its loyalty to the Queen and its desire to remain within the Commonwealth. At the same time, Nkrumah is advocating a United States of Africa into which he is prepared to admit all and sundry as he has apparently admitted Guinea.² The activities of Nkrumah may well serve as a uniting force to Nigeria, while against his activities a solidly united Nigeria can be a powerful makeweight. The more the North separates itself from the Eastern and Western Regions, the more will it tend to identify itself with other Moslem countries in the Middle East. The whole Minorities Report recommendations are based on a strong Federation, the public opinion of whose members will be the protection of minorities. The looser the Federal tie, the less will [sic: be] the North's need to consider the views and feelings of its minorities.

Politics in this country are so much based on emotion, so little on principle, that the present trend, depressing as it is, need not continue indefinitely. Zik and the Sardauna are strange bedfellows; sooner or later one will overreach or overlie the other and the alliance will be at an end. Awolowo, if he fails to win enough votes in the North by force and finance, may yet woo the North with concessions and co-operation. It is only the maintenance of a strong central Federal Government that can make such changes of front worth while. In the end, tribal politics may go and other parties develop. Alternatively, democratic processes may be suspended in the interests of strong and authoritative rule. In either case it is only a strong Federation that can effectively sustain Nigeria as a political force. There is therefore nothing to do but to weather the inter-regional hatreds of the present time, and when they have worn themselves out, probably not without riots and loss of life, wait for a new change in political alliances. It is said that the Prime Minister has a Ministry waiting for Aminu Kano, the President of N.E.P.U. This is bound to mean a split in that party if it occurs.³

11. The limited finances of the Region combined with its natural desire to push ahead with economic and social projects which will bring it as quickly as possible to the level of its neighbours must, as I foresee, throw it open before long to strong and dangerous outside pressures. In this the North will be more vulnerable than the

² A union of Ghana and Guinea (Conakry) was announced in Nov 1958.

³ In a minute of 9 Dec, M G Smith commented on 'the Governor's reference in paragraph 10 to the underlying Northern tendency towards, if not secession, at least a kind of splendid isolation as a non-playing member of the Nigerian team. It will be fascinating to see in 5/10 years time how right or otherwise we were in our efforts to keep this ill-assorted team together' (CO 554/1841).

Eastern and Western Regions. The East and West have advanced further economically and socially than the North. The North being in great part Muslim lies more exposed to immediate Muslim influences. The North has long frontiers where similar forces are or soon will be at work. I do not think that Egyptian propaganda has made much advance, but it will certainly strive to do so before long. I do not think that Egyptian money has yet come into the Region on any scale, but I feel sure that it will. It will not be long before Egyptian offers to train doctors and engineers and theologians without charge, and to establish cultural and trade institutions may be difficult to resist. We may well have to take an unusually sympathetic view of Northern calls for assistance if we do not want to see them answered by those hostile to us. For the next two or three years we have a unique opportunity, so far denied to others, to establish in the Northern Region those cultural, commercial and social institutions which before long will have to take the place of the influences previously exercised by our administrative and professional officers. But the time is very short and it is, I believe, essential that Her Majesty's Government should press ahead at once with the provision of adequate buildings and first class staff to equip these organisations. This is not in all instances being done. The United Kingdom Information Office's resources are sadly inadequate. The British Council has no offices or assembly hall in Kaduna and apparently has no funds to build them. The United States representative on the other hand is well established and planning further developments. The commercial firms—both British and foreign—have not failed to mark the lesson that in a country where the outward and visible signs of prestige count for so much suitable buildings both for offices and as residences for their senior representatives are essential. The United Africa Company has just completed a house in Kaduna for the Company's Regional Director at a cost of £35,000. We will have to build the buildings and we will have to find men who are of equal calibre to the best of our administrative and professional men. We cannot afford to do less. With independence the pressures from outside, as I have said earlier, will increase and many of them will seek to destroy our influence. At the moment we have a start over the rest and it would be tragic if we were not to take full advantage of it. In the long run our fundamental interest in this country is to ensure that it remains sufficiently stable politically to hold out against Communist and other hostile forces which, if they come to prevail, must inevitably damage our trade and other interests. If we want to preserve these interests we will have to pay for them. . . .

469 CO 554/1537

8–9 Jan 1959

[Regional self-government]: minutes by M G Smith and A Emanuel on Chief Awolowo's request to appoint a Nigerian as the next governor of the Western Region

[Rankine's term of office as governor of the Western Region expired in Sept 1959. In late 1959 Awolowo proposed his replacement by Sir Olumuyiwa Jibowu, chief justice of the region, and an AG supporter, who would thus become the first Nigerian governor in the Federation. Lennox-Boyd's reaction was to insist on extending Rankine's term until July 1960, when he was eventually replaced by Sir Adesoji Aderemi, the Ooni of Ife (1930–80) and a less party-political figure.]

In his reply at (16) to Sir John Macpherson's letter at (14) the Governor-General has listed but not very clearly evaluated the pros and cons of accepting Chief Awolowo's advice. The factors he mentions are very unequal in importance and I suggest that the general picture is as follows.

2. Because Sir John Rankine's term of office is the first of any Regional Governors to expire after Regional self-government the Premier West has the first chance of any Nigerian leader of obtaining an African Governor. Whether or not he is hoping by these means, as the Governor-General suggests, to secure all three major posts in the West in Action Group hands before he goes to the Centre, it must at least be assumed that this is primarily a major electoral move from which he hopes to draw many votes. The Action Group theme for this year's Federal elections seems to be that of all the Nigerian governments they have been first in virtually every field of development and they are offering their successful policies to the rest of the country. If they get an African Governor or the promise of one before independence this will be another First—and if Sir George Mooring [deputy governor] then resigned the Premier West would no doubt go for a Double First! Chief Justice Jibowu is a competent judge but also very much an Action Group nominee and sympathiser, and his appointment would be attacked by the other political parties on these grounds. The impartiality of the Governor's office would then come into question before the transfer of power and the S. of S. while retaining power would appear to Nigerian opinion to have succumbed to Action Group pressure for the appointment of their nominee.

3. But it seems unlikely that in this crucial election year the other parties would be content with merely attacking an Action Group Governor who would after all still be the first African Governor; they are more likely to feel themselves forced into emulation and if we give way in the West we must, I think, do so in the full expectation that for one reason or another—and we cannot yet be sure of Sir Robert Stapledon's full recovery—the Premier East will start pressing for an African Governor there. A nominee of Zik is likely to be of far more dubious quality than Sir O. Jibowu and instead of buying off Chief Awolowo with a compromise solution in the West we may find ourselves in a very awkward and undignified exchange with Zik in the East. All these moves will very much bring the position of all the Governors into the political arena and correspondingly debase the gubernatorial coinage.

4. Despite, therefore, the Governor-General's advice in (16) that there should be a compromise solution I continue to feel that the only straightforward and safe policy is to stand on the ground of the Secretary of State's continuing responsibilities until independence as set out in (14), and as indeed already set out by the Secretary of State himself at the recent Conference when a proposal by Zik to abolish the office of Deputy Governor was decisively rejected. In (16) the Governor-General refers to his inability to rely in police matters on an African Governor but suggests that the main burden of his responsibilities for these matters will have passed once the Federal elections are successfully terminated, so that it would not be too difficult to accept an African Governor for the last six months before independence. But in fact we have as yet no idea what these six months will bring. The Federal elections may well result in the return of an N.P.C/N.C.N.C. coalition strong enough, at least in voting power, to govern the country without difficulty. If, on the other hand, the elections brought about an Action Group majority then, as the Governor-General says in his latest chatty despatch of the 2nd January on WAF 190/27/01, the North might be unwilling to accept such a situation and might make a move towards

secession. We should then greatly regret our promise of one or two African Governors in the Spring of 1960. Furthermore, it is not only police matters that may yet concern us. It is only just over a year ago that the Eastern Region reached the brink of financial breakdown and we were seriously considering the strong measures which, despite Regional self-government there, might be needed to steady the boat. The possibility of applying such measures in the comparatively brief period between now and independence has clearly lessened, but while the Secretary of State remains constitutionally responsible to Parliament for Nigeria I do not see how he could safely and properly divest himself of his sole remaining means of discharging that responsibility until independence actually arrives.

5. On a minor point the Governor-General mentions that one or two African Officers already see Secret and Personal correspondence and so suggests that an African Governor might be trusted with it. I doubt if this is the point. Our concern is not the sight of the correspondence but the participation in it of a Regional Governor who looks at affairs through U.K. eyes.

6. Tactically I doubt whether the Governor-General's compromise of the 1st April 1960 gives us anywhere on which to stand. Once the S. of S. has accepted the principle of Chief Awolowo's nominee being appointed before independence the appointment might as well be on the 1st January 1960, immediately after the Federal elections, as the 1st April—and so on.

7. The major point which the Governor-General does not develop is the extent to which Chief Awolowo may turn sour if his request is not met. This must obviously be a matter of speculation and it may be argued that if Chief Awolowo is setting much electoral store on getting his African Governor first, he will be correspondingly soured by failure. But against that it may, I think, be argued that this is an electoral stunt whose failure he will regret but take without too much ill grace as part of the normal rough and tumble of politics. While Chief Awolowo has proved a formidable opponent in recent years he has also, at least in his dealings with the Governor and the Secretary of State, proved in the main a very fair one. He tried very hard to get in first with the Action Group programme for Regional self-government and our persistent but polite refusals to be drawn seem not to have evoked any ill will. In these last two Conferences he has argued his case much better than any other Nigerian but on very many occasions he has accepted defeat with very fair grace when the argument has gone against him. There is no doubt that he has a high regard for the person and the impartiality of the Secretary of State and I do not believe that a courteous but fair refusal would earn any lasting resentment or bitterness.

8. I think therefore that the S. of S. should still be advised to reply as suggested in (14) but that we might add these points. In making the point that the procedure for the appointment of Governors on independence is not yet settled the S. of S. might say that he proposed to send a despatch to the governments in the fairly near future on this matter. The contents of this despatch should, I think, follow the line in paragraph 5 of the note at (12) on WAF 16/3/043 below—i.e. we should set out the different courses that might be adopted and should so far as possible avoid argument in favour of any particular one. The S. of S. might also say that he realised that Chief Awolowo might feel some embarrassment if his own position were not made clear when the announcement of Sir John Rankine's extension is made, and might offer in making that announcement to make a brief reference to the consultation with the Premier West and to say that the Premier had suggested the name of a distinguished

Nigerian but the Secretary of State had concluded, in view of his continuing responsibilities until independence, that he should recommend the extension until independence of the term of the present Governor.

9. I doubt if the S. of S. should make the point at the end of paragraph 8 of (16). If the S. of S. stands on the grounds of his own responsibilities the Premier cannot easily challenge him or controvert these responsibilities. But if the S. of S. takes his stand partly on other grounds, he can be controverted—in this instance the Premier could refer to the long experience of the Ministerial team in the West and express his conviction that Jibowu is fully equal to the task.

10. The S. of S. must offer some explanation of the Governor-General's remark about the race of the Governor. He might thank the Premier for raising this since it had enabled him to take the matter up with the Governor-General. He might say that he understood that the thought the Governor-General was trying to convey was one very much uppermost in his own mind that, at least until independence, the post of Governor remains within the administrative field, so that the Governor-General would find it easier to work with a person of great experience in this field whose mind would naturally run in the same channels as his own.

M.G.S.
8.1.59

Mr. Smith's minute very cogently argues the case for sticking to our line that Sir J. Rankine's appointment should be extended until independence.

As I see it, the essential point is that the Secretary of State has responsibilities for the government of the Regions which he might not be able to discharge if he does not have Governors in the Regions whom he can utterly trust to carry out his own policy as well as cooperate fully with the Governor-General.

It must however be recognised that in the self-governing Regions the functions of Governors are extremely limited; in fact they do not have any constitutional function, either in the field of administration or in the field of police. In the former they have in fact to act on the advice of their Ministers; in the latter the responsibility for the operational control of the police is entirely outside their hands and if they act at all it is at the request of the Governor-General, with the tacit consent of their Premiers. They have certain powers to reserve Bills for H.M.'s pleasure (relating to treaty rights, Royal Prerogative, impeding the Federation, etc.), but it is difficult to imagine these being exercised in present circumstances. In any case they are not essential since powers of disallowance exist in the same fields. I think therefore it must be admitted that the main ways in which the Governors assist the S. of S. to discharge his responsibility are, first, by providing the S. of S. with detailed information and advice on conditions in the territory and, secondly, by exercising personal influence over their governments. The former is a function which is not easily explicable to Mr. Awolowo; the second hardly can be used as an argument in present circumstances.

I am, however, quite clear that these two functions are of great importance, and I agree with Mr. Smith that we should be running a great risk indeed in doing without them during any period prior to independence.

It seems to me, therefore, that the Governor-General's suggestion could only be adopted if some alternative means could be found of covering the essential functions as described above.

I find it very difficult to think of any. I mentioned to Mr. Eastwood the thought

that the Governor should at an early stage become 'Governor and U.K. representative', the idea being that at a later stage Africans could be appointed to the governorships, and U.K. representatives, drawn perhaps from the Deputy Governors, continue to serve in the Region with the specific task of maintaining the S. of S.'s relationship with their governments, leaving the African Governors to exercise purely constitutional functions. There are a lot of snags in this idea, but Mr. Eastwood felt it deserved further consideration. He has, I think, mentioned it informally to Sir R. Stapledon, who was attracted. It would certainly need a good deal of discussion with the C.R.O. (see also the P.S.).

Another thought that has occurred to me is that Chief Awolowo seems to take it for granted that only Regional Premiers should have a say in the appointment of their Governors. I am not at all sure that there is not something to be said for the Federal Prime Minister being among those to be consulted. If Chief Awolowo were not taking a narrow regional view and were to look at the matter as a potential future Prime Minister himself, or as one who wants to secure justice for Action Group partisans in the North, he might be more favourably inclined to arrangements which would ensure selection of Regional Governors on a non-partisan basis. However that may be I believe that we really ought to settle the principle of selection of governors after independence and the question of whether there should be U.K. representatives in the Regions before independence, before any decision is reached on the extension of Sir J. Rankine's appointment.

Consideration of these matters I think belongs more properly to W.A.D. papers than this file.

If it is agreed that more thought should be given to these suggestions then I think the S. of S. should defer sending any reply to Chief Awolowo until he is ready to put proposals on these matters to the Governments. At that time he might say that he had decided to extend Sir J. Rankine's appointment for at least six months to permit full agreement to be reached on these questions.

We must not of course overlook Sir J. Rankine's personal position. He is not aware of this correspondence, but he knows that Chief Awolowo told the S. of S. that he would have to consult his colleagues on the question of the extension and he must suspect that correspondence is going on. It seems most desirable that he should be told something at a very early date.

A.E.
9.1.59

P.S. Another possibility is for the Governor-General to appoint his own Regional representative, so that the S. of S. would rely on the Governor-General for S. & P. advice relating to the regions.

470 CAB 134/1353, AF (59)2

22 Jan 1959

[British influence after independence]: Cabinet (Official) Africa
Committee minutes

[Extract]

... In this part of the discussion, the following main points were made—

(a) When Nigeria achieved independence in 1960, an increase in external contacts could be expected which would be likely to stimulate left-wing thought and might

encourage a movement towards political neutralism. The development, at present slow, of a more democratic form of government in the North would also encourage left-wing elements and it would be dangerous to count too much on the maintenance of the present traditionalist leadership; although conditions had been different in Ceylon, the change there to a Government of a completely different persuasion from that which had taken over on independence should not be forgotten. Neutralist policies were not at present in favour in Nigeria; instead there was in general a strong pro-Commonwealth and anti-Communist feeling and it was unlikely that a substantial change in this outlook would occur, provided that the policies of the West were not such as to be completely unacceptable to Nigerian opinion.

(b) In order to safeguard our strategic needs in Nigeria, the possibility had recently been examined of retaining an enclave under direct United Kingdom control; this possibility had, however, been rejected both on grounds of practicability and because it had been felt that Nigerian goodwill could best be preserved by the provision of the facilities we needed by agreement. In this connection, it would be necessary to have regard to Moslem susceptibilities when considering adoption of policies in other parts of Africa or in the Middle East. A Defence Agreement would have the greatest chances of permanency if it offered advantages to both sides; in return for the over-flying and staging rights we needed, we could enter into commitments concerning the physical defence of Nigeria and such matters as assistance over the staffing of the Nigerian armed forces and the provision of Naval craft.¹ It was unlikely that the physical defence commitments would constitute any very real obligation, though the situation in the neighbouring territory of the Cameroons would need to be watched. After independence, the police would be a federal responsibility, though British officers were likely to remain for some time. The security and intelligence organisation was reasonably satisfactory.

(c) A key factor in relations between Nigeria and the United Kingdom would be the extent of economic aid for development which could be made available after independence. It would be of the highest value if, in agreement with Nigerian leaders, arrangements could be made before independence for the introduction at that time of a technical co-operation scheme similar in form, but larger in size, than that which had been introduced for Ghana. While the cost of such a scheme would be considerable, it had to be considered in the light of the cessation of Colonial Development and Welfare Assistance, which was now running at about £4 millions a year.

(d) Nigeria was as yet unpracticed in foreign affairs and it was likely that her leaders would appreciate advice in this field. If such advice were to be provided, in response to requests from Nigeria, there would be scope for a close relationship which could be of great value.

(e) In the past, Nigerian territories had taken little interest in the Pan-African movement, but there were signs that this attitude was now changing. Following the

¹ Staffing of the Nigerian army was a concern for the CO in this period. In May 1959 some 40 out of the 310 officers of the Nigerian army were Nigerian. The CO wished to increase this number but this was limited by the reluctance of Sandhurst and Mons to take more than 25 candidates from Nigeria per annum. CO fears were that Nigeria might be prompted to look elsewhere for the training of its military officers (DO 968/616, no 318, CO brief for the Secretary of State, May 1959). In contrast some 130 of the 320 or so officers in the NPF were Nigerian.

recent Conference at Accra, however, an eminent Nigerian representative, Chief Rotimi Williams, had taken the line that the prime concern of African leaders should be the solution of practical problems at home and the protection of the rights of the individual. At present the tendency of Nigerian politicians was to regard the United Kingdom as a more trustworthy friend than other African Governments, but in this respect it had to be remembered that their attitude would constantly be influenced by our general policy towards African affairs.

In further discussion it was recognised that, for the various reasons which had been mentioned, Nigeria was probably the most important territory in West Africa whose attitude we would be able to influence; there appeared to be a fair prospect of her present favourable disposition towards the United Kingdom and the West lasting throughout the foreseeable future. Our interests lay in strengthening this disposition and ensuring its continuation for the longest possible period. To this end, there was every reason for the United Kingdom to foster a particularly close relationship with Nigeria as a member of the Commonwealth after independence; moreover it would be particularly important to ensure that Nigeria received as much economic help as possible and to recognise the importance of avoiding the adoption of policies elsewhere in Africa, or further afield, which would encourage neutralist tendencies among Nigerian politicians.

The Chairman,² summing up, said that some further discussion might be devoted to Nigeria and it then remained for the Committee to discuss probable developments in Sierra Leone and the Gambia. Thereafter discussion relating to West Africa might usefully centre upon two questions which in his view had emerged. These were, first, whether we found ourselves in a dilemma in West Africa through being confronted with two alternatives: would it be more in our interest, on the one hand, to encourage the forces making for federation and stability, even though our strategic requirements could thereby be more easily denied us; or, on the other hand, to favour fragmentation, if this were a realistic policy for us. The second question which arose was that, if it were felt that the United Kingdom should encourage cohesion in what ways should we set about this, and how far should we deliberately concert our policy with the other colonial powers in Africa? In regard to the second question, it would be particularly helpful if the Colonial Office could circulate a memorandum discussing means of encouraging the economic development of Nigeria, with a view to the possible formulation of a technical co-operation scheme of the kind which had been suggested in discussion. This memorandum could usefully take into account the views of a representative of the Colonial Office who was about to pay a short visit to Nigeria.

The Committee:—

- (1) Agreed to resume their discussion of future developments in West Africa at a subsequent meeting.
- (2) Invited the Colonial Office to circulate, in due course, a memorandum on the economic development of Nigeria on the lines indicated by the Chairman.

² ie B StJ Trend. Among those also present at this meeting were H T Bourdillon, C G Eastwood and A Emanuel of the CO, J Chadwick of the CRO, A D M Ross of the FO, C E F Gough of the Ministry of Defence, W Hughes of the Board of Trade and H L Jenkins of the Treasury.

471 CO 554/1659

31 Jan 1959

**[Cameroons]: minute from Mr Lennox-Boyd to Mr Macmillan
outlining possible courses of action for the future of the Cameroons**

[The move of Nigeria towards self-government raised the issue of the future status of the Trust Territory of the Cameroons. On 15 May 1958 Dr Endeley, leader of the KNC, whose support lay in the forest areas of the south, became premier when the Southern Cameroons was granted full regional status within the federation. Elections on 24 Jan 1959 gave a majority to the opposition KNDP and its leader, John Foncha, replaced Endeley as premier; KNDP support lay mainly in the Bamenda grassfields and hostility to the large number of Nigerian traders living and working in the Cameroons lay behind its victory. The KNDP campaigned against integration with Nigeria and in favour of union with the French Cameroons, but CO fears were that Foncha wanted to secede and establish the Southern Cameroons as a separate state; its belief was that the territory was not financially viable and any such move would have important financial consequences for Britain. A Visiting Mission of the UNO Trusteeship Council visited the Cameroons in Nov and Dec 1958 and recommended, in the face of wide-spread support in the Northern Cameroons for the idea of joining Northern Nigeria, that the future of the Northern and Southern Cameroons should be considered separately rather than as a whole thereafter. On 13 March 1959 the UNO General Assembly agreed that a plebiscite would be held in the Northern Cameroons in Nov 1959 to decide its future and one in the Southern Cameroons sometime before Apr 1960. See 495.]

Since Nigeria is to become independent on the 1st October, 1960, the future of the Trust Territory of the British Cameroons, which is at present administered as part of Nigeria, has now to be decided.

2. The United Nations, as one party to the Trusteeship Agreement, have to concur in whatever arrangement is made. A Visiting Mission has just been to the Cameroons. The Trusteeship Council is to consider their report next week and the General Assembly is to hold a special session starting on the 20th February solely to consider this problem.

3. The British Cameroons is split into two parts. There is likely to be no problem over the northern part, since the inhabitants undoubtedly want to go in with Northern Nigeria, and the United Nations will probably concur in this.

4. The southern part, with about 800,000 inhabitants, has its own Government. It is a small and poor country, still largely undeveloped, and it has difficulty in paying its way. Economically it is of no material significance to us. I am seeking confirmation from the Ministry of Defence that it has no strategic value at all.

5. The United Nations are likely to insist on a plebiscite to decide its future. In a plebiscite the people, many of whom are far from sophisticated, should only be asked to choose between two courses. In theory there are three possible courses and one of these will have to be discarded.

6. The three courses are:—

- (a) to go in with Nigeria,
- (b) to go in with the French Cameroons,
- (c) to remain as a Trust Territory for the time being.

7. We ourselves would like them to join Nigeria, i.e., course (a), and Nigeria would be willing to accept them on very favourable terms, both financially and politically. Although they would be far smaller than the three existing Regions they

would have them in as a separate Region. There is undoubtedly a strong body of opinion in the Southern Cameroons in favour of this course. The Party in favour has just lost a general election by a small margin, but this may have been partly simply because the people wanted a change of government.

8. Course (b) is to join the French Cameroons. They have also been a Trust Territory, but as a result of the lightning development of French colonial policy they are to become wholly independent on the 1st January next. Both in population (3½ million) and in area the country is far larger than the Southern Cameroons. The French Cameroons too would be willing to receive our Southern Cameroons. But the terms on which they would do so have not yet been worked out and we clearly could not agree to our people being asked to commit themselves to joining the French Cameroons before they know what this means. The terms of association could probably be worked out by the end of the year. The Southern Cameroons have been brought up for 40 years in a British tradition and their official language in English, while the environment and language of the French Cameroons is equally French. Our people naturally, therefore, would want to come in on some kind of federal basis. It is likely that the French Cameroons would not be willing to have them on that basis.

9. Course (c), continued trusteeship, as a wholly separate Administration, would probably mean a substantial drain on the U.K. Treasury. I did in 1957 say that it would be one of the options, but that was before we knew that the French Cameroons would be independent so soon. The United Nations would never allow it to be more than a temporary solution, and I am strongly advised that it is most unlikely that they would ever concur in it even for a limited period. There will be very strong pressure for a final solution this year.

10. After some hesitation I am satisfied that even if there were a chance of getting it through U.N.O. it would be bad tactics to make course (c) one of the choices. The people might well vote for it, but as I have said it could only be a temporary solution, and if they had once rejected union with Nigeria it is quite on the cards that Nigeria might not be ready to let them come in later. Moreover, if, as we do, we want them to join Nigeria it is best that they should be brought up face to face with the only possible permanent alternative, which is association with the French Cameroons. There is a good chance that they will not like the terms on which the French Cameroons would have them and I am satisfied that this provides our best hope of getting them into Nigeria.

11. I propose therefore to work for a plebiscite at the end of this year, the choice to be integration with Nigeria or with the French Cameroons, the representatives of the Southern Cameroons and the French Cameroons being required before then to work out for submission to their two Legislatures the terms on which integration with the French Cameroons could take place. If we cannot get agreement to that at the General Assembly, then I would propose that there should be a plebiscite in May and that the choice should then be between association with Nigeria and 'negotiations with the French Cameroons with a view to working out terms for unification, such terms to be submitted for approval of the Southern Cameroons and French Cameroons Legislatures'.

12. I seek your covering approval for this.

472 DO 35/10443, no 609

9 Feb 1959

[Political situation]: letter from S J G Fingland to Sir G Laithwaite assessing developments since the London conference

I am writing, as you asked, to let you have an informal note on how things looks [sic] here before you set off on your extensive tour.

2. A good deal has been going on since the Constitutional Conference ended in London. Chief Awolowo lost no time after his return in opening his election campaign in the North, relying on the undertaking that political parties could electioneer throughout all the Regions without let or hindrance. In the event, all the Action Group meetings in the North seemed to go fairly smoothly and there were no reports of disturbances. Action Group ministers to whom I have spoken expressed considerable satisfaction with the initial reactions to their campaign in the North; but I gather that there is some reason to believe that their meetings have been attended mainly by the converted, and that N.P.C. supporters have been deliberately staying away, presumably on the instructions of their own political leaders. Zik is now about to start a tour of the North, according to press reports. The battle between the Action Group and the N.C.N.C. goes on as hotly as ever in speeches and in the press.

3. Dr. Nkrumah has, of course, just left after his tour of Nigeria.¹ It was fairly well reported in the press, Zik's newspaper being extremely laudatory, while the Action Group's 'Daily Service' combined some very hollow expressions of welcome with a highly critical campaign against some of the recent actions of Dr. Nkrumah's Government. We have not yet seen reports from the Regions on Dr. Nkrumah's visit, and it is difficult yet to make any realistic assessment of its importance. However, my own first impressions are that, despite all the crowds and the newspaper reports, Dr. Nkrumah did not make a very great impact on the ordinary Nigerian, except perhaps in the Eastern Region.

4. But I am sure that the visit made an impact on Nkrumah himself. He must have been impressed by the calibre of some of the Nigerian leaders and also by the obviously critical attitude, beneath the welcoming speeches, on Ghana's deportations, tampering with Parliamentary Government and the law, etc. Certainly Dr. Nkrumah showed himself sufficiently sensitive to the criticism against his Government to reply to much of it in detail. I have sent particulars to Accra with a copy to Mark Allen.²

5. At the moment, the position over the Southern Cameroons is still quite obscure. Foncha is in as Premier, but that by no means is an indication that his position will be very secure or that a plebiscite would, in fact, go in favour of complete secession from Nigeria. We shall have to wait and see what happens. If the ultimate decision is secession from Nigeria with a period of continued U.K. trusteeship before the ultimate future of the Southern Cameroons was decided, we might be faced with the problem of whether the future U.K. High Commissioner in

¹ Nkrumah arrived in Nigeria on 26 Jan 1959 for a visit that took him to all the regions. His visit provoked criticism, particularly, but not only, from the Action Group press, following the earlier deportation of Nigerians from Ghana.

² ie, M E Allen, assistant secretary, CRO, 1956–1960.

Nigeria should also look after U.K. interests in the Southern Cameroons. Much would depend on what the likelihood was that the Southern Cameroons might in the end ask to be joined to an independent Nigeria. If this did not seem likely and the prospect was that they would join the independent French Cameroons after a further period of trusteeship, there would be many arguments against having the future U.K. High Commissioner in Nigeria involved in any way in Cameroons affairs. There would be a great deal to be done in order to unscramble the Nigerian-Cameroons omelette and if one man was involved with both Governments he would hardly fail to incur the animosity of both.

6. Recent events seem to me to underline even more the importance of an independent Nigeria to the United Kingdom, to the Commonwealth and to the Western powers generally. The French African territories have obviously many manoeuvres still to go through before there can be any assurance of stability in French West Africa; the Belgian Congo seems to be entering into a very unsettled phase, and Dr. Nkrumah will, no doubt, do all he can to keep the pot boiling³. It does seem that, provided that Nigeria can establish a sound and strong Federation, she offers the best prospect of being a centre of stability in this part of Africa and, moreover, one which will show understanding of and give support to the policies of the Western powers. You may know that Abubakar asked me, through Peter Stallard, to let him have in strict confidence some notes on a foreign policy for Nigeria.⁴ I sent my draft home and am now waiting for any comments before handing it to Stallard.

7. I am due to go off to Monrovia at the end of this week to represent the C.R.O. at the meeting of C.C.T.A. This should be interesting, and I am looking forward to seeing Liberia. I have arranged to spend a few days in Accra on the way back on a general liaison visit to Ian MacLennan.

8. I sincerely hope that you enjoy your tour and you do not find it too strenuous. I very much envy you your visit to Australia, of which I still retain the happiest recollections.

³ Riots in Léopoldville (Kinshasa) in early January 1959 prompted the Belgian government to announce that it would commence moves towards independence for the Congo.

⁴ See 475.

473 CAB 134/1353, AF (59) 5

20 Feb 1959

'Prospects for the African territories for which the Colonial Office is responsible': CO memorandum for the Cabinet (Official) Africa Committee

[Extract]

... IV. *West Africa*

21. *Nigeria* has now been promised independence on the 1st October 1960.¹ With its large area and 35 million people (latest estimate) it is bound to play a major part in Tropical African affairs.

22. Much has happened since Colonial Office Print GEN.174/012 was written in May 1957, and it has on the whole been very much to the good. Two Constitutional

¹ This memorandum was written in response to the recommendation of the Cabinet (Official) Africa Committee meeting on 22 Jan. See 470.

Conferences have been held in London, attended by the leaders of all shades of political opinion in Nigeria and between the two Conferences three important Commissions have visited Nigeria. As a result many problems have been decided. There are to be no new states or regions and Nigeria is to continue to be a Federation of the existing three regions, to which may be added the Southern Cameroons (see below). The fears of minorities are to be met by an elaborate series of fundamental rights which will be entrenched in the constitution and the Police are to remain a Federal force (though the Regional Governments will be represented on the controlling council), thus ensuring that the Federal Government will have means to make its authority effective. The Shari'a Law in the North is to be replaced by a system based on English law. The Federal House of representatives is to be elected by universal adult suffrage (universal male suffrage in the North) and—most important—each constituency is to consist of approximately 100,000 people, thus giving the North 174 out of 320 seats, with the result that, so long as the North vote fairly solidly for the Northern People's Congress, the North is likely to have the major say in the Federal Government. A new distribution of revenue between the Regions has been agreed and the prospects of oil being found in considerable quantities, particularly in the Eastern Region, have considerably brightened the financial prospects not only of that Region but of other parts of Nigeria also. The Committee will no doubt wish to obtain an appreciation of the strategic importance of these oil resources to the Commonwealth. Shell-B.P. have spent some £40 millions on exploring them and are going to spend much more but they have not yet committed themselves to any firm opinion as to their extent. The Eastern and Western Regions have been given full self-government within the field of Regional competence and the North is to have it from the 15th March of this year.

23. With the coming of independence it will no longer be practicable for H.M.G. in the U.K. to carry out the Trusteeship Agreement for the British Cameroons under which it has been administered as part of Nigeria. The United Nations General Assembly is to decide next month on the means of ascertaining the wishes of the people of the Northern and Southern Cameroons as to their future. There is every probability that the Northern Cameroons will become part of Northern Nigeria. It is likely that the people of the Southern Cameroons will be asked to determine by plebiscite whether or not they wish to join Nigeria when it becomes independent. If they do not, the alternative will be either to join the French Cameroons, which is to become independent on the 1st January 1960, or conceivably to remain for a while under United Kingdom Trusteeship as a separate administration pending a final solution. The last Constitutional Conference decided that if they wished to join Nigeria they should have the status of a fourth Region.

24. As a result of all these developments there is still great goodwill in Nigeria towards the United Kingdom and it is the declared intention of all the leaders that when Nigeria becomes independent it should be as a Member of the British Commonwealth. Moreover there is reason to hope that, in international affairs, they will be much more positively on the side of the West than, for instance Ghana. None of the leaders of the majority parties have any sympathy with communism and none of them, except perhaps in his heart of hearts Dr. Azikiwe, advocates a purely 'neutralist' policy. Indeed, towards the conclusion of the 1958 Constitutional Conference the Federal Prime Minister and the three Regional Premiers (including Dr. Azikiwe who indeed took the initiative) all volunteered to enter into a defence

agreement with the United Kingdom under which the United Kingdom would be given full facilities to use Kano Airport for the transport of troops and supplies in peace or in war and also in war time, to use the harbours of Lagos and Port Harcourt and the communications thence with Kano.

25. For the moment therefore prospects for Nigeria are fairly rosy. They are likely to enter on independence as our good friends, suffering from no serious complexes, but anxious that Nigeria, which is so much larger, in size and population, than Ghana, should play a correspondingly greater part in the development of Tropical Africa. (The extent to which Dr. Nkrumah is throwing his weight about irritates the Northerners and the Action Group considerably. The East is more tolerant).

26. One factor which has contributed in no small part to the present relatively satisfactory situation is that the whole population of Nigeria has never been united in a fierce Nigerian nationalism. Such a sentiment has, it is true, existed among a few people, particularly in the N.C.N.C. Party in the East but in the East there has always been an inner loyalty to the Ibo people. Similarly in the West the primary loyalty has been to a Yoruba nationalism and, among the ruling classes in the North, loyalty to Muslim Hausa and Fulani traditions has been far stronger than any loyalty to Nigeria as a whole.

27. Nigeria is indeed a British creation and it is we who have striven hard to inculcate Nigerian loyalty. A few years ago there was a real risk that the North would break away and turn its eyes towards Muslim territories northwards. Dr. Nkrumah apparently still hopes that Nigeria will break up and within the last few weeks is alleged to have said that the weak part of the constitution proposed for Nigeria on independence is that it makes no provision for the Regions to secede. There is indeed still some danger of disintegration but in the last few years the sentiment of unity has grown very much stronger. The North, assured of 174 out of 320 seats in the Federal House, see much less reason to fear that the two southern regions will dominate the Federation, and realize better than they did that economically their interests are inevitably bound up with those of the south. The Premier of the North, the Sardauna of Sokoto, has on more than one occasion recently emphasized the importance of Nigerian solidarity. The first Federal Prime Minister, Abubakar Tafawa Balewa, is a northerner. He has displayed remarkable wisdom and statesmanship in this capacity and there is good hope that it will be he who leads the country into independence. In the past the real political leaders have remained in the Regions. In the party hierarchy the Federal Prime Minister still plays second fiddle to the Sardauna and that is likely to continue, but in the West, the Premier, Chief Awolowo, who is no less a statesman than the Prime Minister, has announced his intention of leaving the Region and standing for the Federal House and it is on the cards that the Premier in the East, Dr. Azikiwe, may do the same.

28. Initially on independence therefore it seems pretty clear that the sentiment of unity will prevail. Whether it will stand up to all the strains of independence and the new pressures that will then be put on Nigeria is a little more difficult to foretell; and, if it does, it is equally difficult to foretell what will be the nature of Nigeria's contribution to the African scene. Much depends on whether the leading part in the Federal Government is played by Northerners or Southerners. Of the deep differences which still exist in Nigeria much the deepest is between the predominantly Muslim North and the predominantly Christian or Pagan South, i.e.

the Eastern and Western Regions. (Of the 18m. or more people in the North, 12m. are Muslims, 500,000 Christian and the rest Pagans). A very large majority of the ruling party, the N.P.C., are Muslims of a very strict kind. The 6 or 7m. people in the West are divided more or less equally between Christians, Muslims and Pagans, the Christians being slightly the largest and the Pagans slightly the smallest groups. The 2m. Muslims are much less strict than those of the north and, indeed, are rather despised by the northerners. Of the 7 or 8m. people in the east roughly half are Christians and the rest Pagans; (there are virtually no Muslims). As already stated the probability is that the North, i.e. in effect the Muslim N.P.C., will play the dominant part in the Federal Government. At the moment the N.P.C. have a *marriage de convenance* with the N.C.N.C. in the East and Chief Awolowo and his Action Group are the arch enemies. If the North continues in power, there will clearly be little urge on their part to break away from the Federation. Nor can one see the West wishing to do so. There is a slight possibility that the East, fortified by oil royalties, might seek to do so but it is not at all probable. The likelihood then is that Nigeria under Northern dominance will remain united. In that case it will probably be fairly conservative in outlook, strongly opposed to communism, and (if we play our cards well) friendly to the West. Now that it is so easy to make the Pilgrimage (one can fly direct from Kano to Jedda in a few hours) the links with other Muslim countries and particularly the Sudan are likely to be greatly strengthened but there is no indication at present of any enthusiasm for Egypt or the pan-Arab movement. If, on the other hand, the Southern parties gained preponderance, the picture would be rather different. It is hard to say whether the Southern parties would be pro-Western or neutralist. At present they would be pro-Western and the Action Group (being a 'white collar' party) might well remain so. But the N.C.N.C. in the East might be more neutralist and might even flirt with communism. The Muslims in the North, being in opposition, would feel an emotional urge to ally themselves with their friends in French Niger, in the Sudan and even further north, though economic ties would probably prevent them from breaking away from the Federation altogether. The contrary forces pulling different parts of the Federation in different directions might well neutralise one another—and in the process reduce very greatly the influence which Nigeria could have on the general African scene.

29. There is yet another possibility. The N.P.C. Government in the North is definitely an aristocratic party in alliance with the traditional Rulers, such as the Sardauna of Sokoto and the Emirs of Kano, Katsina and Zaria, who still have great power. So far, this alliance has made for stability. Democracy is still a plant of tender growth in the traditionally authoritarian north and if the Rulers were not friendly to the Ministers in these initial years the whole Region might break up; it might well be the Rulers rather than the Ministers would come out on top but there would be no stability. Under the alliance a gradual transition to effective ministerial government is taking place. But there may come a time when a stronger opposition party manages to gain power in the North resentful of the powers of the Emirs and very much farther to the Left. This would consist of the lower-class Muslims reinforced by Pagans and Christians. Similarly in the west there may arise a lower-class party ('the have nots') in opposition to the upper-middle-class Action Group. The N.C.N.C. have always considered themselves rather far to the left. On the long view—ten years rather than five—it is thus possible to imagine a Nigeria very much further to the left than it is at present. What the effect of that would be is hard to see. It would be

much more likely to be neutral or anti-Western and it might even establish relations with the communists. But the Muslim tradition in the North will be very hard to kill and there is likely always to be a strong element definitely opposed to communist ties.

30. So far, Nigerian politicians have been much preoccupied with their own problems inside Nigeria. For that reason and because as already stated there has been no militant Nigerian nationalism, none of them has yet taken a very prominent part in wider movements in Africa. The Muslims in the North have had contacts with religious leaders in French Africa and with the Sudan, which is a staging point for many Nigerians on the Pilgrimage to Mecca, and the late Prime Minister of the Sudan while still in Office paid a very useful visit to Nigeria some months ago. Dr. Azikiwe also is an old friend and associate of Dr. Nkrumah. But his party and the Northerners have really had little time to look beyond their own affairs and the Action Group in the West have taken even less interest in affairs outside Nigeria. Recently they and the Northerners have been much irritated by Dr. Nkrumah's recent activities and this has stimulated their interest in outside affairs. The Action Group for instance sent an effective delegation to the All African Peoples' Conference just held in Accra. With the coming of independence this interest in outside affairs is likely to increase, if only to show to the world that Nigeria is a much more important place than Ghana. But if, as seems probable, the sober Abubakar remains Prime Minister, this is not likely to produce many fireworks.

31. Finally, it should not be overlooked that Nigeria's express desire to remain within the Commonwealth in part reflects her belief that we shall be able to give her the assistance she requires, particularly in the field of finance, to cope with her many social and economic problems and to develop the country. She believes that she can look to the United Kingdom and to the Commonwealth to provide the external financial assistance which will be needed. If we are not able to live up to these expectations, we must not be surprised if there is some falling off in Nigeria's enthusiasm for the Commonwealth connection. . . .

474 CO 554/2122, no 89

1 Mar 1959

[Nigeria–Ghana relations]: letter from Alhaji Abubakar Tafawa Balewa to Dr Nkrumah rejecting moves towards a possible West African Union

I thank you for your letter of the 23rd of February in which you invited me to Accra on the 15th of April.

During your visit to Lagos¹ you and I discussed generally the question of the West African organisations, some of which have now been broken up, but we did not talk at all about West African unity or a Union of West African States: had we done so, I should of course have given you frankly my views on these matters.

I do not know who suggested that you should convene a meeting in Accra of the Prime Ministers and Premiers of the various West African territories: it was certainly not my suggestion. I hope that you will bear in mind that this is an election year for

¹ See 472, note 1.

us in Nigeria, and that we shall be very busy preparing for our Independence during the next eighteen months.

I had thought that your visit to Lagos and to all the Regions would have given you an accurate impression of how we in Nigeria feel about these matters; nevertheless it is only right that I should clearly state my own views which are that upon attaining Independence, Nigeria must assume her rightful place among the leaders of the African Continent, and must be accorded a leading position in the initiation of any moves to bring about West African unity, and in similar matters affecting the relationships of the various countries, though naturally the other African territories will be at liberty to make their own suggestions.

At present I honestly believe that we have more than enough problems to engage our immediate attention and that we should not divert our energies from dealing with them in order to dream of a West African Union.

I do not of course rule out the possibility of a Union of West African countries in the future; it may well prove to be desirable and it may indeed come, but at present, as I have said, I think that there is so much for us to do in other fields that we had better devote all our energies to doing first things first.

475 CO 554/2059, no 9

23 Mar 1959

[Nigerian foreign policy]: letter from A W Snelling to C G Eastwood
on the future foreign policy of Nigeria. *Enclosure*

We discussed in your room some weeks ago the draft paper Fingland had produced in response to a request from Abubakar for a note on what might be the foreign policy of an independent Nigeria, and it was agreed that Allen should try to weld into Fingland's draft the ideas in alternative versions suggested by Emanuel and Howard Smith.¹

The urgency has since been taken out of this question. You will remember that Fingland had been hoping for our comments before he left for a conference in Monrovia. When this proved impossible he left a copy of his draft with Stallard on an informal and personal basis and Stallard said that if it became embarrassing to hold up any longer a response to Abubakar's initial request he would, if necessary, let the Prime Minister see Fingland's draft, explaining that it was a purely personal effort by Fingland and was very much a tentative and preliminary paper which he would no doubt wish to replace by a more considered version after there had been an opportunity to go further into the problem.

While Fingland was in Monrovia Stallard had to act on this basis and when Fingland returned to Lagos he found awaiting him a personal letter from the Prime Minister, thanking him for his note. I enclose a copy of the Prime Minister's letter.²

Allen has now prepared a redraft, of which I enclose a copy, incorporating substantial sections of Fingland's original version together with portions of both

¹ H F T Smith, African Dept, FO.

² Not printed. The letter, dated 20 February, thanked Fingland and commented: 'I have read this valuable paper with great interest and am really most grateful to you for taking so much trouble with its preparation.'

Emanuel's and Howard Smith's versions. But it has not proved feasible to draft entirely on a patchwork basis and the framework of the new text is Allen's own.

With due respect to all the work that has been put in by Emanuel, Howard Smith and Allen I still myself prefer Fingland's original, subject to some minor emendations. Both Clark and Lintott also regard Fingland's draft as an excellent piece of work. However, if it is possible to reach agreement only on the basis of something radically different from his version perhaps Allen's synthesis might now be considered. I hope, however, that we would still give Fingland discretion to modify whatever wording we suggested to take full account of local circumstances.

I am sending a copy of this letter to Howard Smith.

Enclosure to 475: Draft memorandum on Nigeria's foreign policy

A country's foreign policy is the way in which, in ever-changing external circumstances, it preserves (or furthers) certain constant interests. These include:—

- (1) its own existence and independence;
- (2) the advancement of its prosperity and economic development;
- (3) the preservation and furtherance of the peace and orderly progress of the rest of the world; and
- (4) the maintenance of good relations with other individual countries.

2. Two conditions are essential for the pursuance of a steady and successful foreign policy:—

- (i) Frank recognition of the facts in every situation. It is incumbent on the External Affairs Service to lay before Ministers a full and frank account of the circumstances in which they are called on to make their decisions in the field of external affairs. Equally it is incumbent on the Press, and all other organs of opinion, to keep the public fully and frankly informed.
- (ii) Acceptance of the policy by most, or if possible all, sectors of domestic opinion. To be successful, foreign policy requires in practice 'bi-partisan' support. It is incumbent on Ministers to guide public opinion in a responsible manner, as well as responding to it.

3. As has been said above, foreign policy is seen in action in changing circumstances. It is impossible to lay down now the actual measures which an independent Nigeria will take two years hence in the international field. But if the foregoing principles be accepted, some consequences can already be drawn and the general outlines of Nigeria's actions can be foreseen.

Independence

4. Having obtained her independence, Nigeria will, of course, be anxious to preserve it. She will be on her guard against any external threats to her independence, whether they be military or economic in their nature, or, as is far more likely, threats of subversion. Certain countries have a record of encouraging subversive activities outside their own frontiers, and Nigeria cannot but find it difficult to give them her full confidence.

5. It goes without saying that, accepting the principle of guarding her own independence, Nigeria will also respect the independence of other countries.

6. Similarly, Nigeria will no doubt wish to exert her influence in the United Nations and elsewhere on behalf of countries defending their own independence against attack or subversion from outside.

7. The foregoing does not, of course, imply that Nigeria should inhibit herself from deliberately limiting her freedom of action or even her sovereignty, by mutual obligations freely undertaken with other sovereign states.

Prosperity and economic development

8. Nigeria will wish to develop her economic resources with all possible speed. She recognises that her own efforts will not be sufficient for this, but that they will need to be supplemented by capital and technical assistance from outside. Nigeria has guaranteed investors security and a fair return on their money, and she recognises that she will need to seek and retain the confidence of overseas investors. Nigeria will not wish to endanger her economic independence, and she may think it wise to reject aid that is offered as a means of exercising pressure. Nigeria will certainly wish to play an important part in Commonwealth economic planning. She will also wish to co-operate in the economic organs of the United Nations and in the Specialised Agencies, and with the C.C.T.A. and its associated technical assistance organisation F.A.M.A.

9. *The peace and development of the world*

(i) *General*

Nigeria has already determined the principles on which she will conduct her own internal affairs: freedom for all under the law, and democratic processes of government. She believes that these principles will ensure to her the greatest measure of internal stability and of economic and social progress. She will be likely to find that her views on the field of foreign affairs approximate most closely to those of countries holding similar views about the principles on which internal affairs should be conducted. Nigeria recognises the right of every country to run its domestic affairs in its own way, but she will look askance at efforts by countries to propagate outside their own frontiers principles unacceptable to her and to other democratic countries.

(ii) *Africa*

If only as a member of the United Nations, Nigeria will wish to reach her own conclusions about matters in all areas of the world, even where her own interests are but remotely affected. But she will doubtless take an especial and continued interest in the affairs of Africa. Nigeria will be, by population, the largest independent country in Africa, and her views will therefore carry great weight all over the Continent: it will be Nigeria's inescapable duty to exercise her great influence with responsibility.

Nigeria recognises the aspirations of people in the smaller African territories for co-operation, and also for closer forms of association. She will wish to ensure that such developments come about as the result of free discussion and negotiation on a basis of equality between the peoples concerned.

Nigeria will, of course, have much sympathy with the desire of Colonial peoples in Africa to attain their independence as she will have done already; she will recognise that the European Colonial powers are engaged in the steady transfer of responsibility to the local peoples; she will also remember that in all parts of Africa, constitutional progress must be conditioned by local circumstances; and in some parts of Africa, circumstances are much more difficult than they will have been for

her. In some territories, particularly in East and Southern Africa, the racial composition of the population is very diverse, and it would be idle to deny that not all sections of the populations have full confidence in all the others. If these territories are to be brought to independence, this can only be on a basis of general confidence by all sections of the population, and the building of this confidence may prove to be a gradual and sometimes slow process.

Nigeria will also watch to see whether new external pressures are developing on Africa. It would be lamentable if Africa won its independence now, only to lose it again to other countries in, say, ten years' time.

(iii) *The United Nations*

It is reasonable to expect that Nigeria will be admitted to membership of the United Nations upon attaining independence; she is already familiar with its work and that of some of its associated bodies. She accepts the principles and obligations of the Charter, and intends to take her place and play her full part in that company of sovereign nations. In working to achieve the high aims of the Charter, Nigeria will, of course, seek to achieve a close association and co-ordination of policies with other member countries whose attitude to basic human values and free institutions is in large measure identical with her own.

(iv) *The Commonwealth*

Nigeria hopes that on independence she will be received as a member of the Commonwealth. She recognises that the Commonwealth is composed of nations of widely different character and interests, and that there are differences of view between many of its members. But she is convinced of its value as a forum in which countries respectful of each others' individuality can consult and exchange views on the problems of our time, in the hope that each member can contribute to the understanding of the others from its own historical, geographical and cultural standpoint, and that each member country will be the wiser from these consultations.

10. *Maintenance of good relations with other individual countries*

(i) *The United Kingdom*

Nigeria does not live in the past and will of course not be guided by feelings of antagonism to the Western world because of her 'Colonial' history. Nigeria has had sorrow and bitterness, but much of it has been dissipated by the benefits which she acknowledges she has received from the United Kingdom. Nigeria judges the United Kingdom, as she will judge all countries, by their actions of today. The fact that she will have achieved her independence by peaceful means and with the friendly help and guidance of Great Britain is an assurance of goodwill and understanding for the future.

(ii) *The U.S.A.*

The U.S.A. have watched with admiration Nigeria's progress towards independence. Nigeria will wish to retain and expand her existing ties of friendship and co-operation with that country. The United States is indispensable to the political, economic, strategic and financial cohesion of the free world.

(iii) *Other countries*

Nigeria will, of course, desire to have good relations with all countries, though she will equally feel able, as has been said above, to place more confidence in some than in others.

She will certainly wish to have close contacts with the *Sudan* and *Saudi Arabia*, in view of the great importance to large numbers of Nigerians of access to the Moslem Holy Places; though she may not wish to commit herself so far to the Arab countries as to jeopardise her relations with *Israel*. The constitutional position in 1960–61 of the various *French territories in West and Equatorial Africa* cannot be foreseen, but it would in any case appear to be important for Nigeria to develop close relations with *France* as well as with those territories themselves. *India*, *Canada* and *West Germany* would also appear to be countries with whom Nigeria could profitably develop friendly relations.

11. The foregoing paragraphs are an attempt to sketch the outlines of the foreign policy which Nigeria would wish to adopt as an enlightened and responsible nation, anxious to preserve the peace and its own good name, and to further its interests and those of its friends.

DRAFT CONFIDENTIAL ANNEX

The Memorandum itself is phrased in such terms that it can safely be drawn on for statements made in public. The observations contained in this Annex can clearly not be quoted in public statements without jeopardising the future relations of Nigeria with various countries. They are submitted on a confidential basis merely by way of illustration of the way some of the principles enunciated in the main body of the Memorandum might work out in the real world.

Independence

2. The Soviet Union has a sinister record of promoting subversion in other countries, especially through the formation of local Communist parties as subversive instruments and by the dissemination of propaganda through officially accredited representatives of the U.S.S.R. Nigeria might well feel that her own interests require very great caution in dealings with the Soviet Union. A number of countries have reached this conclusion, some of them after bitter experience. Nigeria will probably not wish to be in any hurry to exchange diplomatic representatives with the Soviet Union or for that matter with other Iron Curtain countries.

3. At the moment of writing, in early 1959, the aims and methods of Egypt in Africa must also be regarded with suspicion, as well as her activities in the Middle East. Egypt is, geographically speaking, an African country; and a Moslem country too. But her record of interference in such countries as Tunisia, Libya, Ethiopia and Syria is irrefutable. The question of Nigeria's relations with Egypt may provide one instance of the vital necessity of facing and accepting the facts of a given situation.

Prosperity and economic development

4. It will of course be for Nigeria to seek external capital. Outside the sterling area, she is likely to have a willing hearing from the International Bank and from the United States Government. The U.S.S.R. may possibly come forward with attractive offers and Nigeria will of course be free to accept them. But she will wish to consider very carefully the political risks involved in accepting Soviet aid. She may think that Egypt has got herself into a difficult political situation as a result of the aid she has accepted from Iron Curtain countries.

World affairs

5. Nigeria and other West African territories owe partly to their not having any

resident European or Asian communities the fact that they achieved independence so soon. Conditions in say Kenya or the Central African Federation are very different. A premature grant of independence to these territories might have the most disastrous effects upon the African inhabitants. Nigeria can exercise a most helpful influence in restraining unrealistic demands for immediate independence there.

6. There are unmistakable signs of increasing Soviet interest in Africa and of Soviet attempts at political penetration. These will have to be watched very carefully for obvious reasons.

476 CO 554/2059, no 10 21 Apr 1959
 [Nigerian foreign policy]: letter (reply) from C G Eastwood to A W Snelling outlining the CO response to M E Allen's memorandum on Nigerian foreign policy. *Enclosure*: CO proposed additions to memorandum

Many thanks for your letter No. NIG 53/1 of the 23rd March about the note on future Nigerian foreign policy.¹ I am sorry to have been some while in replying.

2. We agree that there is no urgency about this now that Fingland's note has been shown to Abubakar (I am very glad incidentally that Abubakar wrote him such a nice letter of thanks), but since Stallard appears to have left an opening for a second and more considered version we feel the opportunity should be taken to let Abubakar have a note embodying some of the points raised here and in the C.R.O. and included in Mark Allen's synthesis enclosed with your letter. This synthesis seems to us admirable; we have only a few minor comments and one major suggestion for an addition.

paragraph 2(i). We suggest omitting the last sentence.

paragraph 9(iv). ? Add at end 'She has already declared her intention of entering into an agreement with the United Kingdom for mutual defence'. We have represented to Nigerian leaders the importance we attach to this and we feel there should be some reference to it.

paragraph 10(i) We feel strongly the second sentence should be omitted. We need stand in no white sheet over our record in Nigeria: much the opposite.

paragraph 10(ii) We think the first sentence is gratuitous and possibly untrue. *Confidential Annex, para. 3.* This might perhaps need a little modification in the light of recent developments in Egypt's foreign policy.

3. Our major suggestion is that you should include in the memorandum something more about communism and the danger of neutralism. We would suggest something on the lines of the enclosed paragraphs—which follow more or less the draft which Maurice Smith prepared before our meeting.

4. Subject to these comments, we should see no objection to Mark Allen's paper being sent to Fingland, for modification if Fingland thinks it desirable, and

¹ See 475.

transmission to Abubakar. He would no doubt send it under cover of a note to the effect that while officials in London have no serious criticism of his own memorandum which indeed they endorse, Abubakar may like to see this memorandum in which they have tried to set out their own ideas. One could produce innumerable memoranda on the subject of future Nigerian foreign policy, all saying much the same thing in different ways.

5. Since events have overtaken our first intention of letting Abubakar have the note from the hands of the Governor-General, we would not now think this course necessary. He will obviously keep Robertson informed of what is going on and get his concurrence in anything he gives to the Prime Minister.

I am sending a copy of this letter to Howard Smith.

Enclosure to 476

Consideration of the progressive transfer of power in Africa draws attention to the major danger facing the African Continent from the impact of world politics. The main contacts between the opposing Blocks of the Western Powers and the Communist Powers are in Europe, the Middle East and the Far East. But there are other areas where the Communist Block sees the possibility of political expansion. So far these have been mainly in South and East Asia where the recent withdrawal of colonial regimes has left new governments lacking the strength and the experience to contain communist subversion. With the steady withdrawal of the European powers from direct control in Africa, the Communist Block is increasingly treating the whole Continent as an area where it has now much scope. Its first objective is to hasten the withdrawal of the colonial powers, and for this purpose it willingly espouses the African Nationalist cause as providing an easy propaganda weapon in the cold war. Increasing Communist attention is being paid to Africa in many fields—in the study of African languages and culture, in the diversity of propaganda by literature and radio addressed to African audiences, and by economic means. There is little doubt that this Communist drive on Africa as perhaps the major ‘fringe area’ of the world will be intensified in the next few years and that Africa will be one of the principal ideological battlefields of the opposing blocks for the foreseeable future. This is the gravest threat to its direct interests and even its survival that the newly independent Nigeria will face.

Nigeria has already made it clear that in these circumstances she rejects the communist way of life. Her choice lies between neutralism and a more or less open espousal of the Western cause. A number of states in Southern Asia have chosen a policy of non-alignment with either of the major power blocks, which is described as neutralism. This concept has its origin in a variety of factors: the Ghandian [sic] spirit of non-violent opposition and so a rejection of the Western willingness to oppose the Communists if necessary by force, the claim that the struggle against the Communist ideology is not a worldwide struggle in which all are involved, but an opposition of two forms of imperialism from which the non Imperialistic States can stand aside and the geographical fact for some states of closeness to the Soviet Union which makes a policy of direct opposition to the Soviets a risky one. There will undoubtedly be a good deal of neutralist sentiment in West Africa, with which Nigeria, whatever policy she chooses, will have to reckon.

Neutrality like uncritical anti-colonialism has its obvious attractions, but also its flaws. It pre-supposes either the continuing existence of a stalemate between the contending blocks or the ultimate victory of the Western Block. It is obvious from the fact that the United Kingdom as a major member of the Western Block is transferring power to Nigeria, that Nigeria has nothing to fear from the West. But if the Communist Block by political, economic or military means or a combination of some of these means, were to win the struggle with the Western Block, neutrality would not be possible and the neutralists equally with the West would be at the mercy of the Communist Block. It follows from this that since the independent survival of Nigeria and of Nigeria's hopes for Africa depend at least on the maintenance of the Western position, Nigeria's true interests lie in supporting the West and in particular in seeking to ensure that as the European powers transfer their responsibilities in Africa to new States, their place is not taken by the Communist Block or by Africans subject to the leadership of the Communist Block.

477 CO 554/1795, no 102

7 May 1959

'Nigeria's needs for external finance in the period up to March 1962':

memorandum by A N Galsworthy

[Extract]

[Nigeria's move towards independence not only raised the question of the continuation of UK financial and technical assistance to the country, but also prompted inquiries by the USA administration concerning aid arrangements. The US position, ostensibly, was that a failure by the UK government to make adequate provision for aid to an independent Nigeria would require the American government to step in at short notice to fill the gap; US officials were keen therefore to encourage the UK to make a generous settlement well in advance (DO 35/9268, minute by A W Snelling, 29 June 1959). Throughout the early months of 1959 the CO considered precisely how much external loan finance the Nigerian government would require. In addition to financial aid, the CO and CRO were in this period involved in developing a technical assistance scheme. See 513.]

... With its 35 million inhabitants, its sound and expanding economy, its strong pro-Western orientation and in particular its intimate and friendly relationship with the U.K., Nigeria can become a considerable asset to the West and to the U.K. in Africa. But it would unquestionably come as a severe disappointment to Nigeria, and probably more than any other single thing would place a considerable strain on our present excellent relations with her, if we were to refuse to provide her with any assistance towards her current development plan. It is, therefore, of paramount importance that we should be prepared to provide Nigeria with such assistance after independence, and that we should be ready to indicate to Chief Festus¹ this summer the amount that we would be willing to provide in the form of a Commonwealth Assistance Loan.

Recommendation

26. It cannot be denied that there may be some margin of error in the forecasts in this Note. But I do not believe that the size of the possible gap is greatly exaggerated. In the interests of maintaining our present excellent relationship with Nigeria I submit that we should be prepared to underwrite the shortfall of local

¹ ie Chief Festus Okotie-Eboh, minister of finance.

resources in relation to development needs, up to a maximum of £15m. up to 1962, if need can be shown at the time,—that is, if they can show that they have made every effort to mobilise local sources of finance through taxation, use of reserves and local loans. In this way, the United Kingdom will not be committed to lending this money if events turn out more favourably than we now expect, but at the same time Nigeria can plan in the knowledge that the money will be made available if it is needed.²

² In a minute to Lennox-Boyd dated 4 May 1959 on the draft of Galsworthy's memorandum, Lord Perth commented: 'I would strongly support your approving the memorandum prepared by Galsworthy. . . . From a political point of view I am, as you know, convinced that if we can keep Nigeria sweet nothing else in Africa south of the Sahara really matters' (CO 554/1795).

478 CO 554/1562

26 May 1959

[Political situation]: notes by Mr Lennox-Boyd on his meeting in

Lagos with Alhaji Abubakar Tafawa Balewa

[Extract]

[Lennox-Boyd visited Nigeria between 14–29 May 1959. The main purpose of his visit was to accompany the Duke and Duchess of Gloucester for the celebrations to mark regional self-government for the North; although self-government had been attained on 15 Mar, this had coincided with Ramadan and the celebrations had thus been put back two months. During his visit Lennox-Boyd had a number of meetings with Nigerian leaders and officials to discuss the forthcoming Federal elections, the implementation of the Special List B scheme and proposals for continuing technical and financial assistance.]

I had a long talk with Abubakar this morning.

(i) On the general position, he said he thought that on the whole things were going quite well. The great danger was the Press. Party leaders who controlled the Press could, if they were sincere, secure a piping down by the Press in the coming months. He would do his best at the forthcoming meetings of Premiers but whatever promises were made in regard to the Press, he was not hopeful that they would be kept. He was also acutely conscious of the absence of a Public Opinion on this and other matters which would condemn the Press excesses and also actions like that of a Parliamentary Secretary of the Federal Government who had recently given bribes.

(ii) He thought it likely that the N.P.C./N.C.N.C. combination would win the next election. If so, he would continue as Prime Minister. Even if the N.P.C. won an overall majority it was his intention to have in the Council of Ministers representatives from the Eastern and Western Regions. They could include representatives of the N.C.N.C. representative of some small party in the West which would enable him to have a Yoruba in the Cabinet or possibly a Yoruba representative might be nominated through the Governor-General's power to nominate four senators. As to his personal relations with Zik, they were not good. Zik had started by writing to him telling him how to run his own affairs. He had replied that he knew his own business. Zik then tried to exercise pressure on the Sardauna to convey the same guidance to Abubakar. The Sardauna asked Abubakar to draft a reply which had been in trenchant terms. Since then Zik had kept a good deal to himself. Relations were not good. He, Abubakar, had striven for many years for an agreement between the N.P.C. and the Action Group, but now feelings in the North would prevent it. Whilst hitherto the Yorubas had been more popular in the North than the Ibos, now the reverse was the case.

(iii) Next, I asked him about the Deputy High Commissioners. Would it be a good thing that one or some of them should be people who had served previously in Nigeria. I told him what the Sardauna had said on this matter. He said he agreed with the Sardauna and that they should come from outside, but he felt it would be a good idea if senior members of their staff could be former H.M.O.C.S. officers in the Regions concerned.

(iv) Next we discussed the Cameroons. He said that they were not of course ready for Regional self-government, but he recognised that it had been politically unavoidable to grant it. He said Foncha never had expected to win the election and was now very embarrassed by the various promises that he had made. He thought that much the best arrangement would be for there to be a further period of British Trusteeship of from five to seven years and at the end of that period they should be allowed to say what they wanted to happen. He said that it was quite possible that they would then opt for complete independence and friendly relations with Nigeria and the French Cameroons. He said it was a country of potentialities and he thought they would be able modestly to stand on their own. If, however, after five or seven years they wanted to join Nigeria he felt sure that Nigeria would accept them. Meanwhile, however, he did not feel that Nigeria should be called on to help in their development and he said he had taken the view in the Council of Ministers that help should cease.

(v) He said he was very anxious about Communist infiltration from the French territories.

(vi) Then we passed to salaries revision. I said that I understood his difficulties, but I am sure he realised the seriousness of the situation. There had been no general improvement in emoluments since 1954 despite the rise in the cost of living in Lagos by 20 per cent. As he no doubt knew, many had joined the Special List 'B' in order to get money on which to live now. While I realised his political difficulties and his desire not to give additional advantages to Europeans that he did not give to Africans and his fear of saddling himself with greatly increased burdens, none the less, an answer to this problem would be a big factor in determining whether people stayed on or not. I said I had heard of his talk with the Governor-General lately on this. He said he quite realised that a general review of salaries must soon take place. He had discussed this with the Sardauna lately and he had agreed. He was not sure what the attitude would be of the other Regional Premiers. . . .

479 FO 371/137972, no 24

May 1959

'Africa: the next ten years': FO confidential print of a report by officials of the Cabinet Africa Committee

[Extract]

... 48. By 1965 *Nigeria* will have had five years of independence. Regional patriotism will still remain strong, but with the passage of years the sentiment of Nigerian unity will probably have grown. The Federation will have held together; and the conservative North will probably be playing the major part in the Federal Government, although it may have had to ally itself with the leading party from one of the other Regions. Although authoritarian tendencies may have increased in the Regions, it will probably be necessary to maintain a coalition at the Centre; and this

may ensure the continuance there of parliamentary government. There is little or no evidence at present to suggest that Nigeria wishes to become a Republic; and this is unlikely to happen during the first half of the decade. On attaining independence she will have signed a defence agreement with the United Kingdom; and, if we have played our cards well, she will still, in 1965, be a fully co-operative member of the Commonwealth, although much will depend on our policy in East and Central Africa. Preoccupation with her own internal problems may at first reduce her influence outside her own frontiers; but by virtue of her size and position she should be beginning to play a leading part in the affairs of tropical Africa. By 1970 it is conceivable that she may have become a Republic, although—we repeat—there is no present evidence of such an intention.¹ In addition, the aristocratic party may no longer be dominant in the North (and hence in the Federation) but may have had to give way to a more ‘advanced’ party, a development which may affect to some extent Nigeria’s attitude to external affairs. But—again if we have played our cards well—she should still be a loyal member of the Commonwealth. Moreover, the country should be wealthier, particularly if oil resources prove to be large. In addition, the sentiment of unity should have grown stronger; and, being less preoccupied with her own problems, Nigeria should be able to exert a greater influence outside her own borders. In any event she is likely, throughout the decade, to be deeply concerned by, and opposed to, the designs of the Soviet Union and the United Arab Republic. . . .

¹ Nigeria became a Republic on 1 Oct 1963.

480 DO 35/10479, no 1

1 July 1959

[Nigerian foreign policy]: letter from S J G Fingland to Sir G
Laithwaite on Soviet representation in Nigeria

You may like to have a further note on how things are going before I depart on leave.

2. The Prestons have arrived in good order and are in the process of settling down. I am taking Myles Preston¹ for a quick tour of all the Regional capitals between now and the time I sail, with a view to introducing him to various people he should know, and to the various accommodation problems that still have to be solved in the Regions.

3. I arranged to have an interview with the Prime Minister last week, to see if there were any points he would like to make before I went on leave. He was in very good form and spoke at some length on the arrangements for Nigerian representation overseas, to which he is giving quite a lot of thought at the moment. One of the points which he has very much in mind is that the Russians will undoubtedly exercise pressure for an early exchange of diplomatic representatives with Nigeria after Independence. He seemed to be aware of the pressure that they exercised on the Ghana Government, and he asked by what means advances by the Russians on this subject could be countered without giving away any ground. I said that the line to take was probably that Nigeria would be perfectly prepared to have dealings with Russia in the United Nations and in other international fields, as they

¹ M P Preston, first secretary, Governor-General’s Office and UK High Commission, Lagos, 1959–1962.

would with other foreign countries; but that there were no points of contact between Russia and Nigeria, whether political, economic, or of a general consular nature, which would warrant the exchange of diplomatic representatives. I added that this was a point which I hoped to discuss in London, and said that I would see if I could bring back suggestions as to the best formula which the Nigerian Government might use to counter any approaches by the Russians on this subject.

4. I said that one occasionally saw some signs of a neutralist attitude on the part of certain of the younger intelligent Nigerians. It did not seem to be of any real significance and usually took the form—‘we have the strongest ties with the U.K. and will never lose our friendship with her; but why should we not go to anyone we can, even the Russians, in order to get the capital we shall need to develop our country?’ This line of argument, I said, ignored the moral issues involved, and, of course, it also did not take account of the ‘strings’ attached to Russian aid and the pressures, open or otherwise, which accompany it. The Prime Minister agreed with this. He said that in his view there would be no real risk of Nigeria becoming neutralist if the Western powers in whom she was putting her trust, came forward with willing and prompt assistance in developing the Nigerian economy. There was no point in waiting until things started to go wrong, as the Americans often seemed to have done, before pouring in money. Nigeria hoped for close co-operation from the start from the Western powers in helping to develop her economy.

5. The Prime Minister also spoke of his plans for building up the future External Affairs Ministry and of getting vacancies for more Nigerians on the I.D.C. Courses. He wondered whether he could get two vacancies on the 1960 Course. (The Governor-General is writing separately to the Colonial Office about this).

6. We have this week had with us Jim Plimsoll who is on his way from Canberra to take up duty as Australia’s representative to the United Nations in New York. He stayed with the Governor-General, but we saw quite a lot of him and had him to dinner. He gave me the gist of an interesting talk he had had with Abubakar. The latter had said firmly that Nigeria would stay in the Commonwealth and play her full part in it. He hoped to see further developments in Commonwealth relations which would enable the various member countries to act in unity on foreign affairs questions on occasions. (Plimsoll said that he had mentioned the difficulties of getting agreement on specific matters of foreign affairs among fully independent countries). The Prime Minister had apparently also wondered about the possibility of the Commonwealth Relations Office being re-organised in a way that would permit some use of a joint staff contributed by various members of the Commonwealth, and not merely from the United Kingdom. (Plimsoll, of course, pointed out that the C.R.O. was a department of the U.K. Government, and that the Prime Minister seemed to be thinking more of some sort of Commonwealth secretariat. He explained to Abubakar some of the difficulties, and the differences of view, between member countries about such a secretariat.) Abubakar also said that he hoped to see the development of an annual meeting of Ministers of External Affairs as well as of Finance Ministers. Plimsoll also said that he was rather surprised to find what an interest the Prime Minister had in South East Asian affairs; he had asked various questions about how far communist penetration had been to blame for the pressures that had existed in South East Asia since the war. Finally, Abubakar had said that he hoped after Independence to visit all the Commonwealth countries.

7. It is interesting that the Prime Minister should raise these various points,

which show that he is increasingly turning his mind to External matters. Many of the thoughts he expressed on Commonwealth relations can, of course best be brought into perspective when a Nigerian Prime Minister first takes his place at the meeting of Commonwealth Prime Ministers.

8. I have now arranged with Larmour to come in to the C.R.O. for talks on 28th to 30th July before going off on leave; and I think I shall also have to come back the following week for a meeting with the Ministry of Works, etc., when Oliver—the U.K. Trade Commissioner here—will also be in London, so that we can try to get decisions on some of our apparently intractable accommodation problems. I have asked Larmour to include an appointment with you in my programme over this period.

9. I am much looking forward to seeing you and having a talk.

481 CO 554/1909, no 6

10 July 1959

[Corruption]: letter from C G Eastwood to Sir R Grey on evidence of corruption involving Chief Okotie-Eboh

[Extract]

In the company of Mr. Drukker of the Board of Trade I have just been seeing Mr. J.C. Gammon. He is Chairman of a large group of companies engaged in civil engineering work overseas, originally in India and Pakistan but more recently in Malaya, Hong Kong and elsewhere in the Far East. For the last three years they have had a Ghana Company and a year ago formed Gammon (Nigeria) Ltd. The Crown Agents know them well and say they have an excellent reputation. They build the B.A.T. factories in West Africa and elsewhere and have already various sizeable contracts in Nigeria including one for the new cement factory.

Last winter they were invited by Coode & Partners to submit a tender to the Federal Tenders Board, P.W.D. Headquarters, Lagos, for construction work at Warri Harbour. Their tender was of the order of £600,000. They were in due course given to understand that their tender was likely to be accepted. Coodes now tell them that they have been instructed to reject all tenders and to negotiate a contract with Hochtief, who are a leading German firm.

In April Mr. Gammon was in Accra and there he was given to understand . . . that if £20,000 was forthcoming for the benefit of the Minister of Finance the contract would go to their firm. This was not the way that Mr. Gammon was prepared to work—with the result that Hochtief are now to get the job.

Mr. Gammon tells me that Coodes are 'hopping mad' at what they have been asked to do. They are in fact not so far 'negotiating' with Hochtiefs but are simply asking them to submit a tender. I have not checked this with Coodes but I see no reason to doubt what Mr. Gammon says about their attitude.

It so happens that Mr. Gammon is on very friendly terms with Hochtiefs—they are in fact working jointly on a project in India—but he is, not unnaturally, himself 'hopping mad' at the way this matter has been treated by Nigerian Ministers. He is very ready to give all possible publicity to it and make a row about it.

I listened to him with sympathy and told him that I would write to you to enquire about the matter. I am bound to say that there seems nothing inherently improbable about what he has said. The question is what, if anything, can be done about it? I know that this sort of thing is one of the 'facts of life' in West Africa at the moment

but it is of course deplorable for Nigeria's reputation—quite apart in this case from the fact that a valuable order will go overseas and not to this country.

Can you let me know as soon as may be what if anything you think can be done? I promised to get in touch with Mr. Gammon as soon as I possibly could. You will no doubt bear in mind that Festus is due here in a week or so. . . .

482 CO 554/1795

23 July 1959

[Aid]: minute by A N Galsworthy to Mr Lennox-Boyd stressing the need to increase the Commonwealth Assistance Loan to Nigeria

Secretary of State

Lord Perth has arranged that you and he should have a word with the Chancellor either just before or just after E.P.C. tomorrow, about a loan to Nigeria.

Lord Perth will, I am sure, put you fully in the picture when he sees you; but it may help you to have the following brief note.

The attached copy of a letter which Lord Perth sent yesterday evening to the Economic Secretary¹ sets out the background, and also what we now want; and it is this letter which the Chancellor will have before him at tomorrow's meeting.

In a nutshell, we regard it as *essential* that we should be able to give Chief Festus a firm undertaking now that we will provide Nigeria with a loan of £15m.

Though this is not said in the letter, we have told the Economic Secretary that, if the Treasury really cannot agree to a Commonwealth Assistance loan of £15m., we would, as a last resort, be prepared to squeeze out an Exchequer loan of £3m. (by deferring one or two Colonial requirements) in the period up to October 1960, provided the Chancellor will increase the Commonwealth Assistance loan from £10m. to £12m., *and* agree that it be offered as a firm commitment. We have said we would have great difficulty in finding our £3m. Exchequer loan, but that we will do so if necessary because of the overwhelming importance of this Nigerian loan.

For your information, we did not budget for anything for Nigeria from our Exchequer loan provision when the C.D. & W. Act was drawn, because we hoped Nigeria's requirements would be met by a Commonwealth Assistance loan. We can just manage £3m. for Nigeria: I don't think we could do a penny more.

If therefore the Chancellor agrees to a firm offer of £12m. as a Commonwealth Assistance loan, to begin after independence, on the understanding that we put up an Exchequer loan of £3m. before independence, we can settle for that.

But we must be able to make a firm offer *now* of a Commonwealth Assistance loan of £12m. That is the key to success in this negotiation.

Chief Festus would certainly agree to an understanding that, if the U.K. or the Sterling Area ran into a severe economic or financial crisis, we and Nigeria should consult together to see what should be done about our lending commitment. Lord Perth put this point to him this morning, and he readily accepted it.

But subject to that, our offer of £3m. plus £12m. must be a *firm one now*.

¹ Frederick Erroll, Economic Secretary, Treasury, 1958–1959.

483 DO 35/10468

23 July 1959

[Aid]: minute by M E Allen stressing the need to increase the Commonwealth Assistance Loan to Nigeria*Mr. Snelling*

I sent you earlier today an urgent draft for the Secretary of State to send to the Chancellor urging that the Treasury should reconsider their decision to allow the Colonial Office to promise Nigeria £10 million by way of Commonwealth Assistance Loan in the period before March, 1962, and to agree to the Colonial Office offering Nigeria £15 million, as they had originally asked.

The Colonial Office now say that a short discussion has been arranged between the Chancellor and the Colonial Secretary at the meeting of the Economic Policy Committee tomorrow. They have asked that the C.R.O. Ministerial representative should be briefed. I understand that Mr. Alport will be attending.

Mr. Alport should know that the money is required to help Nigeria carry out the development programme to which she has committed herself for the period 1956–62. The total expenditure is of the order of £150 million, and the Nigerian Government are dipping deeply into their own resources to meet it, by way of internal loans and depletion of various Governmental reserves. But the gap between resources and requirements is about £32 million, and the Colonial Office have represented very strongly to the Treasury that we should make a substantial effort to help Nigeria bridge this gap, stressing the great political desirability of retaining our influence in Nigeria after independence next year and of keeping Nigeria, as the biggest country in free Africa, on the side of the West. As has been said above, the Colonial Office originally asked for £15m. for this purpose. The Treasury agreed to £10m. and the Colonial Office were at first prepared to accept this. But talks with Nigerian officials in the last few days have led them to doubt whether £10m. would have the desired political effect in Nigeria, and at the Ministerial meeting this morning with the Nigerian Minister of Finance which I attended, the offer of £10m. was pretty coldly received. Lord Perth has gone back to the Treasury with an urgent plea for reconsideration, and that is where the matter stands at present. We have already backed up the Colonial Office with the Treasury at an earlier stage, quoting the Secretary of State's view that the political arguments in favour of helping Nigeria are convincing, and the Colonial Office hope that besides supporting them now on paper with a letter from the Secretary of State, we can also support them Ministerially at the Ministerial discussion at the E.P.C. tomorrow. I would hope that Mr. Alport would feel able to reinforce the Colonial Office's appeal to the Treasury, stressing the political need to keep Nigeria stable and friendly after independence.

Mr. Alport should know that the Colonial Office would be quite content with an offer from the Treasury to meet the Commonwealth Assistance Loan up to £12 million; and the Colonial Office themselves would find another £3 million out of Exchequer money available to them.

484 CO 554/1795

23 July 1959

[Aid]: minute by A N Galsworthy on meetings between Lord Perth and Chief Okotie-Eboh concerning financial assistance to Nigeria after independence
[Extract]

... He¹ and I therefore went to see the Economic Secretary at the Treasury, with Treasury officials, yesterday afternoon. The record of that meeting is at No. 120. It will be seen that we argued strongly the case

- (a) for making a firm offer, rather than the tentative one as suggested in the formula at No. 118, and
- (b) increasing the figure from £10m. to £15m.

Towards the end of the meeting, when it was clear that our proposal was going to run into very heavy weather in the Treasury, I myself made the compromise proposal that we might manage a £3m. loan from our Colonial Exchequer loans provision in the period prior to independence, if the Treasury would agree to a £12m. Commonwealth Assistance loan to run from the date of independence. We would certainly have a bit of difficulty in squeezing out £3m. for Nigeria, but it could be done at the expense of postponing one or two Colonial requirements. This would not be easy, but I am so convinced of the need to provide Nigeria with £15m. and of the importance of doing so, that I feel we should be prepared to do so if all else fails. The outcome of our meeting was that we should write a letter to the Economic Secretary which would be submitted immediately to the Chancellor. The letter sent is that at No. 121, which was copied to Lord Home. This letter was prepared by Lord Perth, Mr. Emanuel and myself last night. I should add that Lord Perth felt that in this letter we should ask for a Commonwealth Assistance loan of £15m., and not mention the possible compromise of a £12m. Commonwealth Assistance loan together with a £3m. Colonial Exchequer loan. On the other hand he agreed with me that if the Treasury, as I think is probable, say they could not agree to a £15m. loan but would agree to our compromise, we could settle for that.

Lord Perth held a meeting with Chief Festus this morning. Mr. Clarke, Mr. Murray and Mr. Fenton supported Chief Festus, Mr. Emanuel and I were present from the Colonial Office, with Mr. Lucas from the Treasury and Mr. Allen from the C.R.O. After we had run through the figures, and Chief Festus had said his piece, Lord Perth impressed upon him some of the difficulties which we face (the need to nurse our balance of payments, which though very healthy at present, are no more than is required to enable us to meet our existing commitments, and the fact that many others apart from Nigeria are knocking at the door). Lord Perth then said that the maximum that he could do at the moment would be to make a firm offer of £10m. Chief Festus thanked Lord Perth for this offer, but said that he had been very much hoping that the United Kingdom would come in with £25m.! Though he accepted, in the light of what Lord Perth had said, that £25m. would be beyond what the United Kingdom would be able to do, nonetheless he felt it most important that the drop should be to something between £10m. and £25m. (Mr. Clarke had previously revealed to me in the strictest personal confidence that Chief Festus would begin at

¹ ie Lord Perth.

£25m. allowing himself to be brought down to £15m.—this is Chief Festus' form of bargaining). Lord Perth said that we all fully understood Chief Festus' point of view, and that he would wish to discuss the matter further with his Ministerial colleagues. It was agreed that a further meeting might be held on either Friday afternoon or Monday morning.

The actual time when we can hold the next meeting will of course depend on when we hear from the Treasury. I am in touch with them on this.

485 CO 554/1795

27 July 1959

[Aid]: minute by A N Galsworthy on the agreement between Lord Perth and Chief Okotie-Eboh concerning financial assistance to Nigeria after independence

[Extract]

[The final meeting of the negotiations between Okotie-Eboh and Perth concerning financial assistance took place on 24 July. At this meeting it was agreed that Britain would offer a loan of £15 million, made up of a £12 million Commonwealth Assistance Loan and a £3 million CO Exchequer Loan. The agreement was formally signed in May 1960. Perth's position in these negotiations came out clearly in his report on his visit to Nigeria in Aug 1959, 'I am more than ever convinced that our policy in Africa should be centred on Nigeria and that both politically and economically it represents our best bet' (CAB 134/1558, CPC 13(59), 10 Sept 1959).]

... Chief Festus expressed what was obviously a very sincere appreciation of the U.K.'s offer, which he said he would warmly and strongly recommend to the Federal Prime Minister. He said that of course he fully accepted the slight reservation mentioned by Lord Perth, and would not give any publicity whatsoever to it.¹

That same afternoon Mr. Clarke, Mr. Murray and Mr. Fenton drafted a telegram for Chief Festus to send to the Federal Prime Minister: I have placed a copy on the file at No. 126. We also agreed with the Nigerian delegation and with Mr. Lucas (Treasury), a very brief press announcement, to be released at 1500 hours B.S.T. today Monday 27th July. A copy of that statement is at No. 127.

Yesterday (Sunday) Mr. Murray telephoned to me to say that Chief Festus had received a cable from Abubakar to the effect that he had convened a special session of the Council of Ministers to meet today (Monday) to consider the United Kingdom's offer. Mr. Murray and I then telegraphed to Lagos to ask the Ministry of Finance to telephone to me at 10 o'clock this morning to inform me of the outcome of the Council of Ministers meeting. We also telegraphed to the Ministry of Finance in Lagos the text of the press release. Mr. Murray was with me when the telephone call from Lagos came through. Mr. Peet (of the Ministry of Finance in Lagos) said that the Council of Ministers had just accepted the U.K.'s offer unanimously and with the deepest satisfaction, and had asked Chief Festus (who is holding a press conference at Nigeria House this afternoon) to be sure to express the Federal Government's deep appreciation of this generous offer on the part of the United Kingdom.

So that is now the end of this story. The outcome is entirely satisfactory from our point of view and indeed from Nigeria's, and I have no doubt that we have achieved the policy objective which we set ourselves when we began these negotiations. . . .

¹ Lord Perth stated that financial stringencies in the UK might lead the government to seek some easement in the Commonwealth Assistance loan commitment in the future.

486 CO 554/2059, no 20

5 Aug 1959

[Nigerian foreign policy]: letter from M E Allen to F G K Gallagher (FO) concerning Soviet diplomatic representation in Nigeria

In preparation for Nigeria's achievement of independence in October next year, Fingland of this Office was seconded to the Colonial Service a little time ago for posting to the staff of the Governor-General of Nigeria as special adviser on external affairs. He has been in close contact in the past year or so with the Nigerian Federal authorities on many matters, including arrangements for Nigerian representation overseas after independence and for the reception of foreign diplomatic missions in Lagos.

Fingland is now on leave, and came to see me a few days ago. He said that shortly before he left, Alhaji Abubakar, the Federal Prime Minister, had spoken to him about the likelihood that the Russians would exert pressure for an early exchange of diplomatic representatives with Nigeria after independence.¹ Abubakar was evidently aware of the pressure that they had exercised on the Ghana Government, and he asked by what means advances by the Russians on this subject could be countered without giving away any ground.

Fingland explained that Abubakar was anxious to avoid committing himself to an exchange of diplomatic representatives with the Soviet Union (without, of course, giving undue offence to the Russians), and that he would like some briefing on the lines of argument the Russians would presumably use when asking for an exchange.

We should be grateful accordingly if you could let us know the kind of argument that has been used by the Russians with other emergent countries in trying to get them to commit themselves to receive Soviet representatives, together with any suggestions you may have about appropriate evasive tactics. No doubt the general line must be that Alhaji Abubakar must use his own native wit (of which he has plenty) in evading the issue; but it is certainly true that Dr. Nkrumah, in a moment of unwariness or mere politeness, committed himself to receiving Soviet representatives, and we should certainly do what we can to forewarn and forearm the Nigerians. Another point that I think we shall have to make to them is that, even though the authorities in Lagos may be quite firm in their resistance to Soviet overtures, the Russians will probably try to find weaknesses in Nigerian missions abroad. You will remember that they managed to exert some pressure on Ghana through Jantuah, the Deputy High Commissioner in London.

I also showed Fingland the paper which your Department prepared in 1957 for Cumming-Bruce's use in Accra. This was sent to me under Howard Smith's letter of May 2nd, 1957, J.1903/21. Fingland thought that this would be very useful to him also, if it could be brought up to date. I wonder whether your Department would be good enough to let me have any new version of this.

It is, of course, far from certain that the Nigerians, however good their intentions, will be able to avoid allowing some representatives from Russia or the Soviet bloc to establish themselves in Lagos sooner or later. We think therefore it would be wise to accompany our advice to them on how to avoid this contingency advice on the importance of preparing measures in case it should become unavoidable (i.e. by such

¹ See 480.

means as the strengthening of their Special Branch in order to cope with the dangers mentioned in paragraph 9 of the paper referred to above).

A copy of this letter goes to Emanuel in the Colonial Office.

487 CO 554/1721, no 392 [Aug 1959]
 'Retention of expatriate staff in Nigeria: Special List B': CO
 memorandum

The Special List Agreements, which were concluded during the Constitutional Conference in June 1957, were based on the proposals published in May 1956 as Cmd. 9768.¹ The essence of these Agreements was that overseas officers in Nigeria could be accepted for transfer to the service of the United Kingdom Government and, if accepted, would continue to serve in Nigeria on a secondment basis and would also be liable to serve in any appropriate post in the United Kingdom or overseas up to the age of 55. Officers would relinquish their right to retire voluntarily with compensation, but would have assurances of further employment and, in the absence of further employment, a right to continue for up to 5 years on 'unemployment pay'. Their pensions etc. would be paid by the United Kingdom Government and recovered from the employing authority.

2. These arrangements failed to make the hoped for impact on overseas officers in Nigeria. Comparatively few officers applied to join the Special List and this led to the visit of Sir John Martin to Nigeria at the beginning of 1958 to consider what further or alternative measures might be taken.²

3. In his report Sir John Martin recommended the creation of a new Special List (B) of officers for whom the United Kingdom Government would be responsible for payment of salaries, compensation, pension, etc. These payments would be refunded by the Nigerian Government concerned, but in addition Her Majesty's Government would provide funds for the payment of additional inducement pay and childrens' allowances. Officers would retain the right to retire at any time with lump sum compensation on giving at least one year's notice, but would otherwise continue on local service conditions, except that disciplinary action would be subject to confirmation by the Secretary of State. Her Majesty's Government would not accept liability to find alternative employment, but would continue to consider officers for transfer to appointments in other territories overseas. It was recommended that the Nigerian Governments should offer more extensive freezing privileges and grant advances of compensation on low interest rates (of which Her Majesty's Government would provide one half by way of interest free loans).

Original proposals made to Nigerian governments

4. The report formed the basis of the proposals which were eventually sent to Nigerian Governments in May 1958. The proposals were that:—

- (i) overseas officers offered permanent and pensionable appointment before 31st August 1957, would be eligible to join Special List B. Those who did so would where applicable relinquish their membership of Special List A.

¹ *Her Majesty's Overseas Civil Service: Statement of Policy Regarding Organisation* (Cmd 9768, 1956).

² See 418.

- (ii) The Nigerian Governments would undertake to accord admitted officers fair and reasonable salaries, terms and conditions of service, which would be not less favourable than those in force.
- (iii) The pensions, gratuities and compensations due to officers or their dependents would be paid by Her Majesty's Government and recovered from the Governments concerned.
- (iv) Officers would be required to give at least one year's notice of their intention to retire.
- (v) Officers would have the right of appeal to Her Majesty's Government against any disciplinary decision which might prejudice their eligibility for pension or compensation. They would however, remain members of the Nigerian Services and not be in the employment of Her Majesty's Government.
- (vi) Her Majesty's Government would meet the additional cost of freezing the compensation of officers for any period in excess of three years.
- (vii) In the East and West, and on the introduction of lump sum compensation schemes in the Federation and North, officers would be entitled to interest free advances of 90% of their entitlements to compensation. Half of this would be reimbursed to the Government concerned by Her Majesty's Government as an interest free loan. Such advance would be a charge against the compensation, pension, gratuity and death gratuity ultimately payable to or in respect of the officer. The advance would be recomputed annually and officers would be given advances of any balances due to them; if the recomputed advance was smaller than the amount already advanced no adjustments would be made.
- (viii) Pending the introduction of lump sum compensation schemes in the Federation and North, interest free interim advances equal to one quarter of an officer's annual pensionable emoluments would be paid to an admitted officer who had served for at least three years, to be regarded as part of the 90% advance eventually payable. Half the cost of such interim advances would be reimbursed by Her Majesty's Government as an interest free loan.
- (ix) The amount to be repaid by an officer in respect of Her Majesty's Government's share of the advance would be abated by an amount equal to 20% of his annual pensionable emoluments for each year of service after the introduction of the compensation scheme before he reached the age of 41, and *pro rata* for part of the year. Between the ages of 41 and 42 the abatement would be 15%; between 42 and 43, 10%; and between 43 and 44 5%. No abatement would be granted for service after the age of 44.

Federation and North

5. These proposals were accepted in principle by the Federation and North, and formal Agreements with these Governments are being prepared.

East and West

6. The East and West Governments made it clear that, because of the difficulties, of forward staff planning caused by uncertainty regarding the future length of service of a number of overseas officers holding responsible posts, they could only participate if:—

- (a) the benefits of the scheme were restricted to selected entitled officers;

- (b) selected officers were required to undertake to serve for a given number of years;
- (c) failure to serve for the stipulated period, unless retirement was due to ill health, would render an officer liable to a penalty (forfeiture of 10% of compensation being suggested);
- (d) at the end of the stipulated period the officer would have to retire unless the Government recommended that he should be offered a further contract.

Secretary of State's comments on alternative proposals

7. In his reply in November 1958, which was given after discussion with Dr. Azikiwe and Chief Rotimi Williams, the Secretary of State expressed doubt whether a modified scheme would be satisfactory since the alternative proposals would involve a reduction of an officer's right to serve until the normal retiring age with a continuing right to retire at any time on earned pension and with compensation. This would reduce the attractiveness of the scheme and thereby prejudice its objectives. But since to be useful any action had to be taken quickly, he would be prepared to consider the alternative proposals if they were modified as follows:—

- (a) Governments should confirm that the responsibility for recommending admission to the scheme would rest with the Public Service Commissions;
- (b) if Governments adhered to the view that officers should be required to serve for a specified period, which they were recommended to reconsider, the penalty for earlier retirement should be graduated according to the proportion of the contract period which remained unserved;
- (c) provision for compulsory retirement at the end of the period for which officers contracted to serve should be dropped since it was unnecessary (the withholding or granting of freezing privileges would largely determine whether an officer would retire not later than the end of the frozen period), and would be prejudicial to the confidence of overseas officers in their future careers in Nigeria.

The Secretary of State could not in any case agree to the compulsory retirement of Special List B officers before age 40.

Further modifications proposed by East and West

8. The Governments were not prepared to accept in full the Secretary's of State's further proposals. Both agreed, however, that the responsibility for recommending the admission of officers should rest with the Public Service Commission, the Governments reserving the right to select the grades or posts to which Special List B conditions should apply. They also agreed to modify their earlier proposals for contractual periods of service and forfeiture of a proportion of entitlement. Neither Government, however, was prepared to drop the provision for compulsory retirement. Their further proposals differed in some respects from each other, as follows:—

East

- (a) An officer would be required to give one year's residential service as notice of retirement, but would not be entitled to give such notice until one year had elapsed since he had been accepted for admission to the List;
- (b) an officer who retired without giving the required period of notice would be liable to forfeit a sum equal to 10% of his entitlement to compensation;

(c) the Government would reserve the right to terminate the service of any officer after giving him one year's residential service as notice of termination, but would not be entitled to give such notice until one year after the officer had been accepted for admission to the List.

West

(a) An officer selected for admission to Special List B would be required to undertake to serve for a given number of years and if he retired before they had expired he would be liable to forfeit a sum equal to 10% of his entitlement to compensation; provided that any officer who gave a least one year's notice of his intention to retire would be exempt from such penalty and that, in the case of an officer who did not give at least one year's notice, the Government, having regard to the circumstances, might waive part or all of the penalty *ex gratia*;

(b) in the case of an officer granted freezing privileges, the penalty referred to in (a) would be in substitution for and not in addition to the penalty prescribed under paragraph 9(2) of the Retirement Benefits Order in Council;

(c) at the end of the stipulated period for which an officer undertook to serve he would have to retire unless invited by the Government to extend the period.

Final form of agreement

9. In his replies the Secretary of State accepted these modifications with some reluctance. In doing so he expressed regret that the provision for compulsory retirement had been retained, and made it clear that his decision to accept was largely influenced by the urgent need to remove the uncertainties facing overseas officers. He also drew attention to the provisions in the Constitution for special safeguards in respect of the security of tenure of Judges, the Director of Audit and the Director of Public Prosecutions, which would prevent their compulsory retirement. He assumed that it was nevertheless the intention that such officers would be able to join Special List B.

10. The Western Region replied that only three officers were concerned (the Deputy Governor and two judges). The Government considered that the scheme should not apply to these officers unless they were willing to opt out of their Constitutional protection and provided that there was no objection in law to their doing so. The Secretary of State replied that he was advised that there appeared to be no objection to such an officer giving a voluntary undertaking to resign on a specific future date in consideration of his receiving benefits under the scheme.

11. The Eastern Region 'decided' that (a) the scheme should apply to all posts held by entitled officers; (b) in the case of officers granted freezing rights, it should apply for the period for which their compensation was frozen, and (c) that officers protected under the Constitution (except the Director of Audit) should not be exempted from the requirement to retire on a year's notice. The only entitled officers affected by (c) were Judges. The Secretary of State noted these 'conclusions'; assumed that it was intended by (b) that officers granted freezing rights for less than two years should not be debarred from the scheme; and as regards (c), replied that he was advised that it would not be open to protected officers to give an undertaking to retire when called on to do so.

12. The final basis of the Agreement will accordingly be on the lines of sections (i) to (ix) of paragraph 4 above, subject to the restrictions of the scheme to the

holders of selected grades or posts and to the substitution of the provisions listed in paragraph 8 in place of section (iv) of paragraph 4.

13. The Governments of the West and, by implication, the East, have confirmed that they agree to the conclusion of formal Agreements with Her Majesty's Government.

488 DO 35/9268 13 Aug-17 Sept 1959
 [Aid]: CRO minutes by R B Dorman,¹ M E Allen, Sir H Lintott and
 H A F Rumbold on sources of aid for Nigeria after independence

Mr. Allen

This minute attempts to provide the basis for the note which Sir Henry Lintott asked for in his minute of 2nd June on economic aid to Nigeria. You will remember that this exercise was first passed to the Planning Unit, for whom I did a note before I went on leave on the extent of our assistance to Malaya and Ghana. We have not however as yet properly tackled the two points raised by Sir Henry Lintott—indeed it would have been difficult to do this before the conclusion of the agreement with Chief Festus on the Commonwealth Assistance Loan for Nigeria.

Current assistance to Nigeria which will come to an end on independence

2. *C.D.C.* The C.D.C. capital investment in Nigerian projects sanctioned to date amounts to £4,396,000. Included among these projects are a building society (£1,225,000), the development of a factory area at Lagos (£1,250,000), development companies for the Northern Region and the Eastern Region (£750,000 and £170,000 respectively), a rubber estate (£265,000), a cement works (£187,000) etc. In the majority of projects C.D.C. are partners with other interests, and the total value of capital commitments taking into account those of other partners is therefore very much higher than the figures given for the C.D.C. investment. There are a fair number of other schemes in Nigeria under consideration by C.D.C. and presumably some of these may materialise before the cut-off date of 1st April, 1960 after which no new C.D.C. schemes can be sanctioned. After independence C.D.C. will continue with their existing schemes and will be able to put in additional capital at least up to the totals approved before independence (at the moment C.D.C. capital actually spent on Nigerian projects seems to be in the region of £2 millions less than total approvals), but will not be able to initiate new projects.

3. *Military assistance.* £1 million is being paid to the Federal Government of Nigeria towards the cost of the local forces. £500,000 was paid in 1958/59 and the second £500,000 is being paid in 1959/60. There is so far as I am aware no provision for continuing this assistance after independence, but Mr. Ellis may perhaps be able to make some comment on this in the light of his knowledge of the discussions on the proposed Nigerian defence agreement. It would be valuable to have some arrangement under which assistance could on occasion be offered to the Nigerian Forces without charges having to be raised. The Malayan Defence Agreement is defective in this respect.

4. *C.D. and W. assistance.* The total assistance which Nigeria (including the Southern Cameroons) has received from C.D. & W. over the period 1946/47 to 1958/59 is as follows:

¹ R B Dorman, principal, CRO Ghana Department, responsible for economic relations.

	£
Central allocation to Ibadan	
University College	2,200,000
Development grants	38,025,000
Development loan	31,000
Research grants	<u>559,000</u>
TOTAL	<u>40,815,000</u>

In addition Nigeria has benefited from a fair proportion of the West African Regional Research grants which totalled £2,070,000 over the period 1946/57 to 1958/59.

5. An analysis of development grants over the period 1950/51 to 1958/59 gives the following break-down as between main types of assistance:

	£
Roads	10,173,000
Water supplies	6,219,500
Education	5,517,000
Medical and health	4,425,000
Agriculture	2,528,000
Leprosy control	1,102,000
College of Arts, Science and Technology	1,041,000
Veterinary	656,000
Building staff	576,000
Development officers	415,000
Forestry	400,000
Broadcasting	205,000
Fisheries	190,000
Textiles	133,000
Aerial survey	102,000
Tsetse control	100,000
Aeronautical telecommunications	80,000
Community development	30,000
Meteorological services	15,000
Literature distribution	<u>8,000</u>
TOTAL	<u>33,915,500</u>

An analysis of how the sums under any particular subject head above were spent would involve a good deal of further research into Colonial Office records etc. So far as I can judge, the bulk of the money has been taken in aid of the development programmes of the various regions and has been used to finance all types of capital development. An analysis as to how the money was allocated as between different regions would present comparatively little difficulty.

6. *Exchequer loan.* Agreement has just been reached that Nigeria should receive a £3 millions Exchequer loan before the date of independence. The money is to be used in the financing of the development programmes of the Federal Government and of the Northern and Eastern Regions. The loan is not tied to particular projects or to United Kingdom exports.

Sources of economic assistance after independence

7. *Commonwealth Assistance Loans.* It has now been agreed that Nigeria should receive £12 millions under a Commonwealth Assistance Loan over the period 1960/62. Like the Colonial Office Exchequer loan, the money is to be used in aid of the general development programmes of the Federal, Northern and Eastern Governments. The use of this type of loan is complicated by the twin requirements that (a) the loan can only be expended on United Kingdom goods and services and (b) the loan money cannot be spent in such a way as to obtain for the United Kingdom orders that would but for the loan have gone elsewhere ('no distortion of trade'). Moreover this type of loan is not helpful for the financing of projects which involve large elements of local expenditure (as is the case with many Nigerian development projects). But on the other side of the coin the loan procedures are straightforward and the money subject to the provisos above, can be spent virtually as the Nigerians wish without having to be related to specified and approved development projects.

8. *United Kingdom Technical Assistance.* It has been agreed in principle that the United Kingdom should provide Nigeria with Technical Assistance on Colombo Plan lines on a very substantial scale. The Colonial Office have suggested a target expenditure of £1 million a year; this figure has not been accepted by the Treasury, but I believe that you obtained the impression that they might well agree to something in the region of £750,000 a year. Technical Assistance even on a large scale will however only replace a comparatively small proportion of the services financed under C.D. & W. grants, because for one thing it does not cover capital expenditure.

9. *Technical Assistance from non-U.K. sources.* The most important non-United Kingdom sources of Technical Assistance are the United Nations (particularly the U.N. Technical Assistance Administration, F.A.O. and OPEX), I.C.A. and Canada. The F.A.M.A. scheme operated under the auspices of C.C.T.A. will also be available to Nigeria. These sources would all provide experts for service in Nigeria and (apart from OPEX) would provide training in America or Europe for Nigerians. Nigeria has so far not sought any great measure of assistance from these agencies (there are apparently some small U.N. Technical Assistance schemes and there is in the pipeline one application for Canadian Technical Assistance).

10. *C.D.C. and C.D.F.C.* C.D.F.C. runs an advisory service for the benefit of the Federal Government and the Western Region Government and would no doubt be willing to offer this service to the Northern Region and Eastern Region Governments also. The Federal Government pays a fee of 5,000 guineas a year. C.D.F.C. have proposed that the fee for the Western Region Government should be 3,000 guineas a year. The service ranges from giving advice on particular proposed industrial projects in Nigeria to finding of experts in particular fields and to more minor activities such as provision of tickets for My Fair Lady for Nigerian visitors to London. C.D.F.C. are also sponsoring the establishment of a Nigerian Investment Company, which will give financial and advisory assistance in the establishment of industrial enterprises in Nigeria. Its capital will be privately subscribed from both Nigerian and overseas sources. C.D.C. may put up some of the capital for this company, and it is also establishing in collaboration with the Northern and Eastern Region Governments development companies to sponsor industrial development in these Regions. C.D.C. will also offer its own advisory service to Nigeria after independence.

11. *United States Development Loan Fund.* The Nigerian Ports Authority has received a loan of \$800,000 to assist in financing the construction of a new warehouse on Apapa Quay in Lagos Harbour. But other Nigerian applications to the development loan fund do not seem to have met with success. The Malaysians have found their loans from the D.L.F. particularly valuable both because of the low rate of interest (3½ per cent.) and because they can cover the local as well as the overseas costs of a development project.

12. *I.B.R.D.* I.B.R.D. made a loan of \$28 millions (£10 millions) to the Federal Government in 1958 to cover a part of the cost of railway development in Northern Nigeria. Nigeria will also no doubt look in due course to I.B.R.D. for assistance in the financing of the proposed dam projects on the Niger and Kaduna rivers.

13. The following general points occur to me in considering the various forms of economic assistance available to Nigeria after independence:

(a) There are a great many agencies offering advice and experts. On the United Kingdom side there are experts under the Technical Assistance Scheme, the C.D.F.C. advisory service and the C.D.C. advisory service. There are also U.N. experts, U.S. experts and Canadian experts. And no doubt other countries such as Israel or Holland or Western Germany may also offer experts.

(b) The establishment and promotion of new industrial enterprises seems to be adequately covered. The C.D.C. and C.D.F.C. Development and Finance Companies will both help, and the prospects may in any case attract private enterprise (not only from the United Kingdom but from other European countries). The establishment of new secondary industries in Ghana seems to be going ahead quite well.

(c) Capital assistance will from now on come by way of loan rather than grant and may at best be limited to covering external costs only of development projects. This may bear hardly and create difficulties in the financing of non-economic projects (education, hospitals etc.), particularly in the backward and poor Northern Region which cannot afford to accept substantial loan assistance even if it were offered because of the problems of servicing and capital repayment.

What more can or should be done

14. I doubt if it would be at all profitable at this stage to try to think out other forms of economic assistance for Nigeria (unless something needs to be done about the suggestion in para 3). The Treasury has just agreed to a programme of loans which should enable Nigeria to carry out the bulk of its planned development over the period up to 1962. In addition there is agreement on a substantial programme of United Kingdom Technical Assistance. There is also the promise that unexpended balances of C.D. & W. allocations will be paid over after independence (present indications seem to be that this will not amount to much, except perhaps in the case of Ibadan University College). By the time that it is necessary to think of a further slice of economic aid for Nigeria (e.g. after 1962) it may well be that Nigerian thinking may be dominated partly by a desire to realise the Niger and Kaduna river dams project and that we may be asked to participate in special arrangements for international financing of this (cf. Ghana and Volta). And the problem of financing development in the North will remain.

15. Our obvious course for the present seems to be to concentrate now on seeing

what can be made of the proposed Technical Assistance scheme. If it is our aim (as I think it should be) that the scheme should operate in a fairly substantial way from the word go, there is a great deal of advance preparation to be done. In Ghana we planned to spend £35,000 in the first year of the Technical Assistance scheme, but in Nigeria the target may be say £750,000. In Ghana we have had to accept that United Kingdom Technical Assistance may look rather small beer compared with what the Americans may do through I.C.A., both because of the disparity between the resources available to the Americans & ourselves and also because of the initial reluctance of the Ghana Government to turn to the United Kingdom for assistance on any appreciable scale. This need not apply in Nigeria.

16. The position reached at the moment is that advice is awaited from the Federal Government on the type of projects which they might like financed under a Technical Assistance scheme. The Colonial Office wrote to the Governor-General at the beginning of May describing what might be possible, and Nigerian Ministers agreed in principle that there should be a Technical Assistance scheme at a meeting with the Colonial Secretary in Lagos at the end of May. Apparently nothing has been heard from Nigeria since that date and the Colonial Office have no clear idea as to when the Federal Government's proposals may be received. The Governor-General is paying a short visit to London next month, and it may perhaps be worthwhile discussing with him how the matter stands. One practical reason for getting on with the preparations for the scheme is that we shall need to have a reasonably clear idea by the late autumn of what we are likely to be able to do so that we can secure proper financial provision in estimates 1960/61. And of course you know well the considerable length of time which is necessarily taken up in arranging any particular Technical Assistance project—time spent in defining a requirement, in searching for a suitable expert, in allowing for an expert to finish his present occupation and prepare for the journey to Nigeria, in some cases in making preliminary surveys and studies etc.

17. While it is not strictly within my province, I would tentatively suggest that the following points may particularly merit fairly early attention:

(a) Technical Assistance outside the more or less routine field of trainees and experts. Some thought needs to be given to the larger type of project which might be covered, both because it would be nice to start off immediately after independence with one or more fairly respectable sized projects and also because anything of this kind may well need particularly careful advance consideration and preparation. Perhaps not a great deal can be done in this field until the Nigerian letter containing suggested projects is received. But it might perhaps be useful to study and assemble information on some possible starters. Geodetic and geophysical surveys have already been mentioned. There are a number of ideas in the report on The Cumberland Lodge Meeting which might be worth looking at. Other ideas might be gleaned from a careful study of the development programmes of the Federal and Regional Governments, budget statements and other economic material which the Colonial Office may have. In making this suggestion I do not wish to be thought to disregard the value of experts (Mr. Carter has only today emphasised to us the value of having United Kingdom Technical Assistance experts in key appointments), but I should have thought that it may take a little time before the various Nigerian Governments come to understand

what sort of experts they really need and presumably like Ghana they will also be applying to the United Nations etc. for at least a proportion of their needs.

(b) How are we to operate the Technical Assistance scheme at the Nigerian end? Some thought is already being given to the staffing needs in the C.R.O. But perhaps we should consider whether there should be some one person in Nigeria whose sole duty is to discuss with the various Nigerian authorities possible technical assistance projects, to put forward particular proposals to London at the request of the Nigerian authorities and to see generally to the running of particular projects when approved. Mr. Carter suggested that even in Ghana we perhaps lost a little by adopting too passive an attitude and only looking at a possible project after the Ghana Government had put it to us either formally or informally. A connected question of course is the extent to which we shall deal with the Regional Governments over particular projects.

R.B.D.
13.8.59

Mr. Chadwick

In his minute of 2nd June, Sir H. Lintott asked for a note showing what we are doing currently for Nigeria which will stop at Independence, and suggesting a programme of aid that might be put forward if it were decided to change present policy.

I regret the delay that has occurred in producing the information required. The thoroughness of Mr. Dorman's minute of 13th August above may, I hope, excuse it.

Since Sir H. Lintott wrote his minute in June, there has been one noteworthy alteration in U.K. policy. This is that Nigeria has been promised a sum of £15 million during the period from now until the end of 1962. This, in a way, alters the whole picture. The £15 million should be of very considerable help in enabling Nigeria to pursue her development programme.

Mr. Dorman's minute would seem to indicate that, at any rate for the first two years after Independence, i.e. until the £15 million loan is exhausted, Nigeria should have no difficulty in financing her strictly *economic* development expenditure. She will also clearly have no difficulty in financing the necessary volume of technical assistance. It may be, however, that she may find it difficult to finance social development (e.g. the £10 millions which have been spent on education and medical projects out of C.D. & W. grant money between 1950–51 and 1958–59). It might be that the very substantial United Kingdom technical assistance programme could be used to help in this way. The exact amount is not yet settled, but I think we can safely assume that there will not be less than £½ million a year for this, and possibly £¾ million. We might find it very difficult indeed to spend such large sums on strictly Colombo Plan-type expenditure. It might therefore be wise to explore with the Treasury the possibility of our being allowed to use a proportion of the technical assistance money on such things as school building and the provision of drugs.

M.E.A.
8.9.59

Mr. Rumbold

You will be interested to see Mr. Dorman's very valuable minute above on assistance for Nigeria.

It seems clear that, under the arrangements now proposed, Nigeria will be

adequately provided for in the matter of development capital and technical assistance. But, as Mr. Allen remarks, there may be a possible gap as regards development in the social sphere.

We have been reproached from various quarters for having cut off direct assistance to Ghana after independence for education and other social purposes. Ghana is a rich country and has been able to take over these charges herself. In the case of Nigeria, the needs will be urgent and it is certainly in our interest to help as regards education; Lord Perth raises this question in his Report on his recent tour (C.P.C.(59) 13), with special reference to the Northern Region.

I think that we should examine this further with the Colonial Office to see whether there is in fact such a gap and, if so, how it might be filled. It may, for example, be possible to take a rather wider definition of technical aid than in the Colombo Plan; and there will be some help from the schemes agreed upon at the Oxford Conference. But it may be that it would be worth our while considering some continuance of C.D. & W. type assistance for education, medical services, etc. after independence, and, if you agree, I suggest that Mr. Allen should explore this further with the Colonial Office, though without, of course, any commitment at the present stage.

H.L.
15.9.59

Sir H. Lintott

I agree that we can put capital aid problems to one side for the moment. Nigeria's need for money available to meet local expenditure may to some extent be capable of being provided from the proposed International Development Association.

2. But it is clear that some very active work is needed on technical assistance. We shall need to consider:—

(a) the scope of our assistance. This should, I think, be wide and should be quite uninhibited by any precedents derived from the Colombo Plan or from the Ghana scheme. We should certainly be ready to provide consultancy services, experts, training facilities and limited amounts of research and training equipment. We should be ready to cover any field of activity, perhaps even administrative officers. We should certainly be ready to consider education and medical cases. But what I am perfectly clear we must not attempt to cover is bricks and mortar and such things as the provision of drugs. If we go in for that sort of thing, we would need very much more money than £1 million a year and the technical assistance aspects proper of our scheme would get swamped in what is really capital aid.

(b) our own organisation for coping with this. A great deal of staff will be necessary. The question arises whether it should be handled by the Ghana Department or by the Colombo Plan Department, which already has a staff expert in this sort of thing and the necessary contacts. I understand that this issue is already the subject of separate noting.

(c) the timing of the start of our scheme. If we are going to make any effective impact on Nigeria's problems by October 1960, the scheme will have to be actively running for some months before that. We probably ought to have our machine in embryo form and ready to spend money by April 1960 (even if the money is technically from a Colonial Office vote).

3. These issues are urgent and it is quite impossible for us to wait until the

Nigerian Administration can be coaxed by the Colonial Office into answering the questions put to them. A great deal of material must already be available in the Colonial Office about the sort of assistance we could usefully give, and we could get on with the job of checking this and also examining our machinery (vide (b) and (c) above). We may have to send one or two people to Nigeria this autumn to explore the ground. I think that we ought to have an Office Committee on the subject set up at once, on which members of the Colonial Office would sit. I would be ready to start this off myself although I would like to hand it over to Mr. Costar on his return from leave.

H.A.F.R.
17.9.59

489 CO 968/669, no 270 13 Aug 1959
[Defence agreement]: letter from Sir J Robertson to A Emanuel on
the need to improve the benefits for Nigeria under the proposed
defence agreement

I am sorry that I have been so long in letting you have my comments on the draft Defence Agreement¹ sent with your Secret and Personal letter to Grey of July 24; but you will now have had Stapledon's letter S.21/II/338 of July 29, Weatherhead's letter 924/34 of August 4, and Mooring's letter No. P.405/27 of August 7, and I have had the advantage of considering their views.

2. Your letter was written at a time when you were about to have 'one more meeting of Whitehall Departments . . . to consider final comments' and, although I may not have taken the intention of your para. 3 correctly, it seems that you have it in mind to send the draft thus settled to the Federal Government and possibly to the Regional Governments as well. I assume that if this is your intention, the United Kingdom draft would be sent here not for Ministerial consideration in the first instance but under personal cover as the 'first draft' upon which the comments of officials in Nigeria would be proffered for consideration by officials in London and, if necessary, for discussion at meetings of officials. Only when this stage had been completed would there be ministerial consideration. This was the proposal in para. 2 of the Secretary of State's Secret Saving to me No. 626 of March 24, which was repeated to the Governors of the Regions and upon which my Council of Ministers gave their approval—see my Secret Saving No. GG.84, which was also repeated to the Governors. I should much prefer that correspondence continued in this 'Personal' series until the comments made in this letter have been disposed of, especially as I think the present draft is not in a form suitable for the consideration of Ministers in Nigeria. Furthermore, I doubt if the present Federal Government will wish to make a decision on this matter.

3. It may be convenient to clear away first the procedural point in the first sentence of para. 3 of your letter to Grey. Weatherhead has suggested that the draft in the non-Personal series should be addressed to the Federal Government and

¹ See 463.

copied to Regional Governments. Stapledon suggests that it be addressed to the Federal Government with a request that copies be passed to the Regional Governments. Mooring's view is that the draft should be sent to the Federal Government alone and that it should be left to bring the Regions into the picture. I prefer Mooring's plan. The Federal Government will be responsible for carrying out the Nigerian side of any agreement about Defence and it should be left to that Government to decide how it should seek the co-operation of the Regions—as it will have to do.

4. Mooring has remarked that the draft you sent has far more to say about what the United Kingdom is getting out of it than about any benefits to Nigeria and that it is a pity that the substantial benefits accruing to Nigeria under Annex 1 can not be given greater prominence. I agree. I think that if the Agreement in its present form were put to the Prime Minister (if he were the leader of the next Government), he would sign it: but I think that he would be somewhat disillusioned and would think it a pretty far cry from what he had expected would result from the meeting with United Kingdom Ministers in October last year. I am much less certain that the Regional Premiers would think the Agreement an acceptable one. No doubt the draft has evolved from others to which the United Kingdom Government has been party; you mention in particular the Agreement with Malaya.² But I wonder whether those other Agreements are in fact good precedents? Certainly the circumstances in Malaya seem vastly different from those in Nigeria. And if Her Majesty's Government were to rely overmuch on what was agreed with Malaya, Nigerian Ministers might be disposed to claim that the Federation of Nigeria has been given much less help towards their defence forces than has Malaya. But not only would the Malayan precedent open up this dangerous line of argument, I think that it is of very doubtful validity anyway. The Agreement with Nigeria is primarily one for transit facilities for United Kingdom forces in return for aid given to Nigeria by way of training, advice, etc. The basis of the Malayan agreement is that United Kingdom forces are to be stationed there in strength and United Kingdom aid is to be deployed in Malaya for the joint defence of Malayan and United Kingdom interests in the Far East and, for the immediate future, in active operations against an enemy. Certainly, when it comes to sending a draft Agreement for Ministerial consideration here, it would (as the Governors have all advised) be unwise to send with it a clause-by-clause comparison with the Malayan Agreement.

5. It may be early days to seek an amplification of Annex 1, the only one of the four Annexes that deals with what Nigeria is to get as opposed to what Nigeria is required to give; tactically—though I doubt it—there may be some merit in starting off with a slim package that can be added to later in official and ministerial negotiations so that Nigeria may be seen to be getting a little more than was offered to start with. But I think that even to start with Nigerian Ministers will expect to see something more detailed than the dozen or so lines of Annex 1, particularly when they compare it with the many pages of details about what Nigeria is expected to give. You will remember that even at the meeting with United Kingdom Ministers on

² For the defence agreement with Malaya, see BDEEP series B, vol 3, A J Stockwell, ed, *Malaya*, part III, chapter 12.

October 24, 1958, the Prime Minister was recorded as having expressed the hope that if the use of Kano by military aircraft involved a supply of aviation spirit beyond the existing capacity of the inland transport system, the United Kingdom would help with extra wagons and 'this was readily agreed to'. I am sure that Ministers will also expect to see some definite statement about reservation of places at Sandhurst, Mons and Dartmouth.

6. On the other hand, I think that Ministers will be dismayed at the details of some of the requests made by the United Kingdom. To a casual reader Annex IV as now drafted gives the impression that Nigeria is to be occupied by British Troops in numbers and perpetuity. Is it, for instance, really desirable that the United Kingdom should propose (see Section 6 of Annex 4) that vehicles of United Kingdom detachments shall be exempt from compulsory third-party insurance especially when 'detachments' is defined (Article XI) to include the members of the families of civilians accompanying units of the armed forces of the United Kingdom? I understand that elsewhere detailed agreements of this kind (*e.g.*, for the establishment and maintenance of United States bases in British Colonial territory) have led to much ill-will. If they are offensive in a colonial setting (and I believe they are), will they not be all the more so in an independent Nigeria? And will not the absence of British civil officers able to smooth out the asperities that will doubtless result from the administration of such provisions in a Defence Agreement contribute to a situation in which the United Kingdom has legal rights at the cost of tremendous loss of goodwill? The most valuable assurance that Her Majesty's Government has thus far secured in the preliminary negotiations for a Defence Agreement is the good will of Nigeria. If that goodwill is lost, the United Kingdom will get precious little value out of the most detailed Defence Agreement. Precedents for that are not lacking!

7. In general, therefore, ought not the draft to spell out more for Nigeria and to ask for less for the United Kingdom? I would prefer the whole of Annex IV to be omitted at this stage and for Article VI to be amended to read something as follows:—

'The conditions to be applied to United Kingdom detachments while in territory of the Federation in pursuance of this agreement shall be negotiated and agreed upon by the two Governments in due course.'

8. The point raised in para. 4 of your letter, about making the Agreement binding on the Regions, will be more easily settled when the scope of the obligations is clear. I do not anticipate that there will be legal or practical difficulties (although I am advised that the use of para. 77(i) of Cmnd. 569 mentioned by Stapledon would not be appropriate).

9. I am sending copies of this letter to Stapledon, Bell and Mooring.

P.S. Since this letter was drafted I mentioned the draft Agreement to Lord Perth and told him of my fears. He said I could quote him as saying that he agreed with them, and generally supported my views. He thought I might add to my redraft of Article VI (see para. 7 above) words to the effect of 'in accordance with Commonwealth practice in such cases'.

490 DO 35/10479, no 3a 25 Aug 1959
[Soviet contacts]: letter from E C Burr¹ to R S Faber (FO) on contacts with Soviet representatives. *Enclosure*: 'Contacts with Soviet Bloc diplomatic missions': Nigerian government note

Would you please refer to your secret letter No. NS 1065/10 of the 2nd March to Maurice Smith about possible guidance to Nigerian Commissioners in London to help them decide how to cope with social blandishments from Soviet bloc diplomats?

We passed on the helpful advice in your letter to the Governor-General and Governors, and this has resulted in the approval by the Federal Prime Minister of the issue of a note to all Nigerian overseas posts for the guidance of officers. I enclose a copy of the note which is to be issued.

The Governments of the Regions have also agreed to issue a note to their Commissioners in London and to instruct them to report any contacts with Communist officials or other suspect contacts, as laid down in paragraph 4 of the note.

This is very satisfactory, and we are most grateful for your help.

I am sending a copy of this letter and its enclosure to Ellis in the Commonwealth Relations Office.

Enclosure to 490

The following notes are issued for the guidance of officers serving at Nigerian posts overseas in their contacts with members of Soviet or Satellite diplomatic missions. They are issued as much for the protection of individual officers as to safeguard Nigeria.

2. *The danger.* It is quite certain that Soviet *bloc* diplomatic missions will pay increasing attention to Nigerian representatives abroad, both before and after the final achievement of independence. All contacts made by Soviet missions are arranged with some specific object in view, often of an intelligence nature, and on this account exceptional caution is needed. Soviet and satellite diplomatic missions always keep dossiers about officials they meet, and they use social contacts, including official receptions, for spotting officials likely to be open to subversion.

3. *The method.* Subversion can be achieved either by ideological means (i.e. encouraging in the subject a sympathy for the communist cause and persuading him eventually to betray his country for the sake of the cause) or by means of blackmail. This follows the exploitation of character weaknesses such as drunkenness or avarice, until a threat of exposure can be used to persuade the subject to divulge information.

4. *The remedy.* There is rule in the United Kingdom Foreign Service which obliges its members to report to a senior officer (usually their Head of Chancery or the Head of the Mission) their contacts with communist officials. Provided that all such contacts are reported they are seldom really dangerous. It is usually when social contacts start by being casual and are not reported that they become dangerous. In

¹ E C Burr, principal, West Africa Dept, CO.

addition posts abroad are under instructions to report any exceptional attentions paid to an official which might indicate that an attempt was being made to use him for intelligence purposes. Soviet efforts to make contact with officials with whom they would not ordinarily have dealings must of course be particularly suspect. This rule will be introduced at once in all Nigerian posts overseas.

5. *Exchange of hospitality.* After independence it will be part of the representational function of Nigerian External Affairs Officers to exchange hospitality with Soviet and Satellite officials. This is not the case at present and there is no necessity for such hospitality to be exchanged. It should therefore be taken as a rule that for the present no officer other than a head of mission shall accept or offer hospitality to members of Soviet or Satellite missions. Should exceptional circumstances arise making it impossible for an invitation to be refused without grave discourtesy, a report should be submitted immediately to the Deputy Secretary (External Affairs). Heads of missions should accept invitations only sparingly and after consulting the British Embassy in the case of Washington and Khartoum, the Pakistan Embassy in the case of Jeddah and the Secretary to the Prime Minister in the case of London. A report should always be submitted after the function.

6. *Official contacts.* As indicated in paragraph 4 above, all contacts with members of Soviet or Satellite missions should be reported by the officer concerned to his superior. Heads of missions should also report to the Deputy Secretary (External Affairs). Where a direct approach is made to a head of mission on an official matter, for example a proposal for a trade mission from a Satellite to visit Nigeria, the most satisfactory course will be to invite attention to the present constitutional position and request the visitor to make his approach through the Foreign Office.

7. *Summary.* For your own protection therefore bear the following rules always in mind:—

- (a) remember that no member of a Soviet or Satellite mission will make contact with you without some definite object in view;
- (b) the object will be to his advantage not yours;
- (c) report all such contacts to your superior officer immediately;
- (d) keep such contacts to a minimum and on a business footing.

491 DO 35/10483, no 4

11 Sept 1959

[Governor-general]: note by Sir A Clutterbuck on his discussions with Sir J Robertson concerning the latter's position after independence

I had an interesting talk the other day with Sir James Robertson on conditions in Nigeria, in the course of which he mentioned his own personal position.

2. It was quite clear, he said, that the new Governor-General would have to come from this country, since the Nigerians would find it impossible to get anyone locally who would be acceptable throughout the country. He much hoped that the selection of the new Governor-General could be put in hand as soon as possible after the elections so that he would be able to go out with reasonable promptitude after Independence Day. He realised, however, that before much progress could be made in finding the right man his own personal position would have to be settled.

3. So far as he was concerned, he felt that he had now done quite long enough in

Africa. He also felt that it would be a mistake for him to stay on for any length of time as Governor-General, under the new régime, since in that event misunderstandings might arise locally as to the reality of Independence. His own inclination, therefore, was to see the Independence Day celebrations through and retire as soon as possible afterwards. This would mean a month or so after Independence Day, since he would no doubt have to stay until the conclusion of Princess Margaret's visit. (He would have to be re-sworn for this purpose, but that would only be a formality.)

4. Unfortunately, however, he was now subject to increasing pressure from his Prime Minister and others to postpone his retirement for some time longer, the argument being that he ought to stay on for a substantial period in order to see the new Government firmly in the saddle. Their view was that it would be in the best interest of the country to avoid too precipitate a change of Governor-General; he was well known to them all and they felt that they would be able to confide in him as an old friend, knowing that they could count on his wide experience and impartial advice—whereas they might be very chary of discussing their problems quite so freely with a new personality.

5. Sir James said that these arguments had, of course, some substance, but he felt himself that it really would be better that there should be a clean break. Experience both in India and in Ghana suggested that it was very difficult for anyone who had been Governor-General before Independence to remain on as Governor-General under the new régime, when his scope and authority would be entirely different.

6. I told Sir James that this would, of course, have to be a matter for high level decision when the time came, but I would certainly take note of what he had said and would let the Secretary of State know where his personal inclination lay.

492 CO 554/1744, no 46

20 Oct 1959

'The Southern Cameroons': CO note for Mr Macleod¹

1. The Cameroons, lying south-east of Nigeria, was taken from Germany in 1916, partitioned between Britain and France, and the separate parts administered by them, firstly under mandate from the League and then as Trust territories under the United Nations.

2. The French Cameroons, the major part of the old German territory, will become independent as a republic on 1st January, 1960.

3. The British Cameroons is administered under the Trusteeship Agreement as part of the Federation of Nigeria, under the authority of the Governor-General of Nigeria who is also High Commissioner for the Southern Cameroons. It is divided into Northern and Southern sectors, the Northern Cameroons being governed as an integral part of the Northern Region of Nigeria. There is to be a plebis [sic] in the Northern Cameroons on the 7th November, 1959 at which the choice before the people will be between remaining permanently as part of (Northern) Nigeria or deciding their future at a later date. We fairly confidently expect a clear majority for Nigeria.²

¹ Macleod became secretary of state on 14 Oct 1959.

² See 495.

4. *The Southern Cameroons* is administered very much as a fourth Region of the Federation, with a Commissioner (JO Field), Premier (JN Foncha), Ministers and Legislature. It has not yet attained full internal self-government like the other three (Eastern, Western and Northern) Nigerian Regions in that the High Commissioner and Commissioner need not accept Ministers' advice, and the Secretary of State may disallow any Southern Cameroons legislation. The Southern Cameroons is much smaller and poorer than any Region and depends on Federal services (and an indirect Federal subsidy) to maintain its viability, and basic services are underdeveloped. The economy is almost wholly agricultural although believed to have great potentialities.

5. *Mr. Foncha*, the Premier, is the leader of the Kamerun National Democratic Party (K.N.D.P.), with 14 out of 26 seats in the House of Assembly. He was Leader of the Opposition until the elections of January, 1959, when his party won its majority. The policy of the K.N.D.P. has shifted, at least in emphasis, from advocacy of union with the French Cameroons when the party was in Opposition, to a call for separation from Nigeria with continued administration as a Trust Territory while the possibility of union with the French Cameroons is explored. The Southern Cameroons people are ethnically akin to the French Cameroonians and different from the Nigerians, and there is in the British Cameroons a widespread fear and hatred of the Ibo tribe which is the majority group in the neighbouring Eastern Region of Nigeria. Much K.N.D.P. support derives from fear of Ibo expansion and domination and the consequent desire to cut all links with Nigeria.

6. The Opposition, which is led by *Dr. Endeley*, is made up of the Kamerun National Congress (K.N.C.) and the Kamerun People's Party (K.P.P.). A coalition of these parties was in power under Dr. Endeley as Premier, until their defeat last January. Their aim for the Southern Cameroons is to be a fully self-governing Region within an independent Nigeria. The Nigerian delegations at the 1958 Constitutional Conference confirmed that if the Southern Cameroons people so wished, Nigeria would accept them as a Region in the Federation equal in all respects with any other Region. The K.N.C./K.P.P. point to instability in the French Cameroons and to the innumerable Nigerian ties already existing (after 40 years association) in the political, legal, economic, financial, linguistic and social spheres in support of their policy.

7. In March 1959 the United Nations recommended that there should be a plebiscite on the future of the Southern Cameroons early in 1960, but the Premier and Dr. Endeley could not agree on the choices to be put in the plebiscite or the qualifications for voters. Mr. Foncha wanted a choice between Nigeria and continued trusteeship, with French Cameroonians resident in the Southern Cameroons but not Nigerians entitled to vote; Dr. Endeley wanted a choice between Nigeria and union with the French Cameroons (believing that this choice in an early plebiscite would take the Cameroons into Nigeria) with Nigerians entitled to vote but not French Cameroonians. The United Nations has just decided after lengthy discussion at which both Mr. Foncha and Dr. Endeley were present that the plebiscite should be put off until early in 1961 (i.e. after Nigerian independence); that the choice should be between union with Nigeria and union with the French Cameroons and that only people born and ordinarily resident in the territory should vote. Both Mr. Foncha and Dr. Endeley agreed to this compromise but Mr. Foncha's party at home is not very happy with it. The Southern Cameroons will thus have to be administered separately from Nigeria for a time and the process of separation will have to begin now.

8. Considering that the Southern Cameroons is not viable on its own, our view has been that the most satisfactory solution would be continued membership of the Nigerian Federation on the favourable terms Nigeria has offered. If that was not possible further administration under United Kingdom trusteeship was desirable in order that the territory might be further developed and the people ought not to be asked to decide for or against union with the French Cameroons until details of such a union have been worked out—e.g. whether the union would be Federal or unitary, what safeguards and economic terms would be offered, and whether the prospects for stable and peaceful government in the French Cameroons are reasonably good. If a plebiscite might have resulted in a vote for separation from Nigeria we would have preferred it to be postponed since such a result would prejudice Nigeria against later acceptance of the Southern Cameroons, while separation from Nigeria without a plebiscite leaves the issue open. But continued trusteeship for more than a very limited time will not stand up in New York.³ While a better outcome was not possible the result is that we have the territory for a further period too short for serious economic progress, and we have to unscramble the territory from Nigeria with a consequent critical situation in the public service and public works, only perhaps to have to put it back in eighteen months time; we have to encourage the Southern Cameroons to conduct themselves in such a way that they do not close the door on such reunion. We have also to try to keep Nigerian Ministers (who are not unduly happy about some of the things Cameroonians have said about them) in a mood favourable to accept them back.

9. *Mr. Foncha* is inexperienced and naive; he has shown little understanding of the obstacles in the way of union with the French Cameroons and little awareness of the chronic instability in the French Cameroons (where the security situation presents a bubbling conflict between the Government and a semi-Communist guerilla movement having links with the United Arab Republic, Czechoslovakia, Ghana and Guinea). His conduct of his case at the United Nations displayed more ability and subtlety than had been expected of him although he was no doubt greatly influenced by the pressures brought to bear on him. His Ministers are hardly of better calibre. They suffer most of all from an unrealistic optimism.

³ One concern, expressed by Grey, was that under the pressure of what he termed the 'Afrodisiacs', the UNO would attempt to transfer the trusteeship of the Southern Cameroons to Ghana (CO 554/1757, no 89, Grey to Eastwood, 14 Sept 1959).

493 CO 554/2123, no 116

7 Nov 1959

[Federal elections]: letter from Sir J Robertson to Sir H Poynton on the forthcoming elections

[Extract]

You will no doubt have seen that the Federal House of Representatives has been dissolved, and the General Election is to be held on December 12th.

2. A few comments on the general situation may be of interest to you, and to the Secretary of State.

3. Preparations are well in hand, the Electoral Roll, preparation of which was a major exercise, is complete; it has been printed three weeks ahead of schedule and

distributed. Instructions for Returning, Electoral and Polling Officers have been got out and seem to me to be very clear and sound.

4. The Electoral Commission has had some serious difficulties: not least in getting decisions by the Council of Ministers on necessary amendments to the Regulations. This was not, however, always the Council's fault, as the proposed amendments had to be referred to the Regions, whose Governments did not always take the same line and this meant negotiations and delays. There were also serious differences of opinion amongst Ministers about the type of ballot boxes to be used, the allocation of electoral symbols and the way in which these should be affixed to the boxes. However, the Chairman of the Commission is confident that all will be in order by the polling day, though some supplies of ballot boxes and other materials ordered from the U.K. may have to be brought out by air freight. The mounting of the election with some 25,000 polling stations and an army of some 50,000–60,000 electoral and polling officers is a complex exercise of major administrative difficulty, and the Electoral Commission, and its Chief Regional Electoral Officers have had a tremendous task in finding the staff required. This has been especially the case in the Northern Region, where literate staff is not everywhere easily obtainable. It has been necessary to appoint Native Administration staff in certain areas, simply because there is no-one else, and this is bound to result in criticisms from the Action Group Party. . . . I have had no reaction from the Sardauna, but Bell tells me that he (the Sardauna) is doing his best to see that Native Authorities are impartial, and I am satisfied that on the whole the Northern leaders have done extremely well during the past months to allow their political opponents freedom to tour and speak in the North. It has not, of course, been 100% free of obstruction, and I have no doubt if the Action Group or N.E.P.U. are disappointed in the number of seats they obtain in the elections, there will be complaints, but considering the background, I think the Northern Regional Government and the Emirs are to be congratulated. It is a matter for conjecture whether the top party leaders are themselves anxious to avoid disorders but are unable to control the local agents and lesser lights in their party organisations who encourage violence, or, as Abubakar somewhat sorrowfully said to the Inspector-General of Police the other day, whether this is part and parcel of Nigerian political life and the party leaders could control it if they wished to, but do not wish to. I think that the first alternative is probably true about Awolowo, but the second is more likely to be true about Azikiwe. I do not know about the Sardauna. Delays in bringing cases to trial and the spinelessness of Magistrates have prevented speedy decisions which might have had strong deterrent effect.

7. To meet the danger of electoral excitement causing violence and disturbances, the security forces are all too few. The Chief Justices have agreed to have no sittings of Courts on the 11th and 12th December, thereby freeing a number of police: the Western and Northern Governments have agreed to put the local Government and Native Authority police in their Regions under the operational control of the Inspector-General for the fifteen days which end on polling day. Efforts are being made to enrol increased numbers of special constables; but even with all this is [sic: it] seems unlikely that the total number of police available will amount to one for each polling station.

8. The Inspector-General is therefore trying to improve the mobility of the forces which he has available, and the General Officer Commanding is co-operating with

transport and signals equipment. Army units have been doing flag marches in exceptionally troublesome areas, and the army will be deployed on polling day in company units as supports for the police should things get out of hand. These dispositions, which are based on recommendations which have come from police, military and civil consultations in the Regions, have now been submitted to me and I have just given final approval to the overall plan. Our forces are pretty thinly spread, but apart from a small police reinforcement for the North, and a couple of extra units for the West, the plan involves no initial inter-Regional transfers. Bovell would have been very willing to send more police from Lagos to the North, but there is unfortunately a limit to the number of 'Southern' police which the North can accommodate, and so the main police reserve will have to be held in Lagos. There is also one company of troops at Abeokuta and one company at Enugu which have not been disposed locally, and which are available as a general reserve. There is excellent cooperation between the I.G.P. and G.O.C. which has made this exercise an easy one.

9. So far then as is possible, we are prepared for the election. The result is as unforeseeable as ever, and I can make no more accurate estimate of how the parties will stand than that I gave in my 'chatty' despatch of 29th August. The victory of the N.C.N.C. in the Lagos Town Council elections is little guide: the multiple seat wards had been converted into single member wards: there was a new Register and in the end there was a small N.C.N.C. majority instead of a small Action Group one.¹ The Action Group had been in office for several years and a swing of the pendulum was not surprising. This result, however, has encouraged the N.C.N.C. and the fact that over 70% of the electorate voted shows that there has been an increase in political consciousness, and an improvement in party organisation. I do not expect great changes in the party position in the South, and the crucial question is 'what effect has the Action Group campaign had on the N.P.C. hold of the North, especially in the Middle Belt provinces?' N.P.C. leaders are confident that it has had little or no success; the Action Group are equally sure that it has. Only the election itself will tell which is right.

10. The answer to this question is of the greatest importance to the future of the Federation. One cannot but be anxious lest substantial Action Group successes will tend to turn the Northern Region away from the South and may well endanger the future unity of Nigeria. Should Dr. Azikiwe and Chief Awolowo combine to form a coalition they might have more seats than the N.P.C. and be able to form a Government composed mainly of Southerners which might well drive the North to leave the Federation. Fortunately, it seems most unlikely that these two leaders can join forces, and agree that one or other assume the Prime Minister's office. It still appears more likely that the N.P.C. will remain the largest party in the House, and that it will be Alhaji Abubakar's task to form a Government. A lesser danger is that the Action Group may make sufficient headway in the North not themselves to form a Government but to make the N.P.C. dependent on N.C.N.C. support. The greater that dependence the more exacting may be the price that Azikiwe will demand for his support.

11. The next two months are therefore going to be ticklish ones for Nigeria. Even if the N.P.C. are successful in retaining their position, I can foresee chances of

¹ The Lagos Town Council elections were held in October 1959.

serious trouble from a disappointed Action Group, and no doubt the Electoral Commission and the Governor-General will come in for a great deal of violent criticism for the way in which the election was prepared and carried out.

12. I am sending copies of this to the Regional Governors for their information.

494 CO 554/1757, no 127

17 Nov 1959

‘The future of the Southern Cameroons’: CO brief for Mr Macleod

The United Nations General Assembly decided in October this year to recommend that:

- (i) the administration of the Southern Cameroons should be separated from that of Nigeria before Nigerian independence on the 1st October, 1960;
- (ii) the plebiscite, originally to have been held this winter, should be completed by March, 1961;
- (iii) the two questions to be put at the plebiscite should be:
 - (a) Do you wish to achieve independence by joining the independent Federation of Nigeria?
 - (b) Do you wish to achieve independence by joining the independent Republic of the Cameroons?
- (iv) persons born in the Southern Cameroons (or one of whose parents was born in the Southern Cameroons) should be eligible to vote in the plebiscite.

2. This recommendation was a compromise between the views of the Premier of the Southern Cameroons, Mr. Foncha, and the leader of the opposition, Dr. Endeley. Mr. Foncha's K.N.D.P. (Kamerun National Democratic Party), which has a majority in the House of Assembly but which was in opposition until the elections of January, 1959, had as their policy the separation of the Southern Cameroons from Nigeria and a period of further United Kingdom administration under United Nations trusteeship to enable the Southern Cameroons Government to investigate with the Government of the French Cameroons (themselves due to become independent as the Republic of the Cameroons on the 1st January, 1960) on what terms the British Cameroons could be reunited with the French Cameroons. They therefore wanted the choice of the plebiscite to be between joining Nigeria on the one hand and continued trusteeship on the other. Dr. Endeley's Kamerun National Congress Party, formerly the majority party in the Cameroons House of Assembly, favours the integration of the territory with Nigeria after independence, and Dr. Endeley favoured a plebiscite in which there would be a straight choice between Nigeria and the French Cameroons—since he thought this would be likelier to produce the result he wanted. There was also a disagreement between the two leaders on the qualifications that should be adopted for voters in the plebiscite.

3. Both Mr. Foncha and Dr. Endeley attended the United Nations debates, and both agreed to the compromise resolution which was finally adopted after a very long debate both in Committee and in the corridors. Neither was entirely happy with it, Mr. Foncha because he wanted a longer period of continued trusteeship, and Dr. Endeley because he did not want the Southern Cameroons separated from Nigeria at any stage.

4. It may be that Mr. Tilney¹ will want to know why independence was not included as a possible choice for the people of the Southern Cameroons. Neither Mr. Foncha nor Dr. Endeley regard independence for the Southern Cameroons at this stage as a real possibility. At its present stage of development, the Southern Cameroons could not be economically independent, and political independence would involve economic and financial aid on a scale which would not really be consistent with independence. Independence as a separate entity would make foreign capital harder to attract as well as setting an acute problem of trained manpower. Her Majesty's Government could hardly have insisted on the Southern Cameroons being faced with a choice which neither of its major political parties supported. Independence as a choice could have been included only in a plebiscite at which three alternatives were put, and a three-choice plebiscite would be likely to lead to an indeterminate result. The Secretary of State need not disguise the view that the best future for the territory would be to become a self-governing region in an independent Nigeria. We cannot however operate overtly to bring this to pass.

5. We are now faced with the difficult—and perhaps ultimately redundant—task of separating the Southern Cameroons from Nigeria, and making arrangements for the continuation of what are at present federal services in the Southern Cameroons for the interim period until the plebiscite in March, 1961. It is too early to be able to specify in much detail what this will involve, but a preliminary study of the problem has already been made by Sir Sidney Phillipson, acting as a Special Adviser to the Southern Cameroons Government, and as soon as the Nigerian Federal elections are over and the new Federal Government has taken office, Her Majesty's Government will initiate consultations with both the Southern Cameroons Government and the new Federal Government about the mechanics of separation. We hope that the Federal Government will agree to continue to operate most of its existing services in the Southern Cameroons on a paid agency basis, after separation has been achieved. The most important of the services involved are the Police, Communications, Posts and Telegraphs, Customs and Excise, and the raising of what are at present federal revenues.

6. The Federal Government has for the time being frozen all development work in the Southern Cameroons but we will get this started again by underwriting the cost. An allocation of C.D. & W. funds to the Southern Cameroons for the interim period until the plebiscite is under conson. We believe that the Southern Cameroons could be made prosperous if we had more time—and the money—but it is a trust territory and the U.N. has therefore a right to a voice in its future. Inevitably there will now be no investment of private capital until the future of the country is settled. This is sad. But there was never any possibility of continued U.K. trusteeship for long enough to allow capital invested now to function. One must hope that when the country has its next plebiscite in 15 months time it will decide to join Nigeria and that the entrepreneur may be tempted to put forward the capital the country so much needs.

7. *The Northern Cameroons* voted in their plebiscite on the 7th November in favour of deferring a decision on the future of the territory until a later date.² This is

¹ John Tilney, MP (Conservative) for Liverpool Wavertree, 1950–1974; Chairman, Conservative Commonwealth Council, West Africa Committee, 1954–1962.

² See 495.

to be discussed shortly at the current session of the United Nations General Assembly, and it is not yet clear whether the result of the Northern Cameroons plebiscite will have any repercussions on the timetable for the Southern Cameroons. Mr. Tilney can be told that urgent consultations are in progress with the Governor of the Northern Region and the Governor General and with Sir Andrew Cohen in New York about the implications of the plebiscite results for the territory's future and it is too early to say what the outcome of these discussions will be. An important factor will be the attitude of the new Federal Government which takes office after the elections on the 12th December.

495 CO 554/1748, no 245A

25 Nov 1959

[Northern Cameroons plebiscite]: conclusion to the report by Sir J Dring¹

[Extract]

[The turnout for the 7 Nov plebiscite in the Northern Cameroons was 87 per cent, with 70,546 voting to postpone a decision, and 42,788 for integration with Nigeria. This was the reverse of what had been expected and the result led to recriminations with some Northern Nigerian leaders blaming British colonial officers of partiality, while the CO put the blame on the unpopularity of Adamawa NA officials in the area. Probably more important, however, was the UNO decision (see 492), to delay the plebiscite in the Southern Cameroons and to separate the area from Nigeria in the meantime. Following the Northern Cameroons result the UNO General Assembly agreed in Dec that plebiscites on joining Nigeria or the Republic of Cameroun should be held in both Northern and Southern Cameroons before 31 Mar 1961.]

. . . The result of the voting was surprising. It led to some bitter recrimination and in the north, in Bama and an adjacent village, there were a few outbreaks of violence,—one of which resulted in bloodshed. There were no celebrations. The people appeared to be cogitating silently on the possible reactions.

58. At one time it was considered that the plebiscite was a foregone conclusion for want of contending parties. Indeed, the Visiting Mission was of opinion that a plebiscite in the Northern Cameroons was not necessary.² The change in the position may in large measure be attributed to the phraseology and lack of finality in the second alternative to which reference had already been made in Paragraph 26. Not only was it susceptible of misinterpretation but the lack of a time limit encouraged people to vote for the second choice merely to postpone a decision or to give them a political advantage by improving their bargaining position.

59. Legitimate criticism was raised against the misinterpretation of the second alternative by political opportunists. In practice the question was in many cases boiled down to Fulani—Chamba, Fulani—Mambilla, Fulani—Pagan and so on to Higher Taxes—Lower Taxes,—all anti the existing Native Authority. It should be noted that Plebiscite Regulation 60 provided for the punishment of persons who publish in writing any matter calculated to deceive the public. Oral misrepresentation could

¹ Sir John Dring, formerly Indian Political Service, 1927–1947; prime minister of Bahawalpur, 1948–1952; adviser to governor of the Gold Coast on Togoland plebiscite, 1955–1956; adviser to governor-general of Nigeria and governor of Northern Region for the Cameroons plebiscite, 1959.

² The UNO mission visited the Cameroons in Nov and Dec 1958. It recommended a plebiscite in Southern Cameroons only, but the UNO ordered one to be held in the Northern Cameroons by the end of November 1959, and in the Southern Cameroons by Apr 1960.

only be countered by official counsel of moderation or by political exposition by the opposing party of the true position. The inference is that voting was based on local and not territorial considerations. In the opinion of the senior members of the administrative staff it was not a vote against integration with Nigeria, but rather an expression of discontent and dissatisfaction with administration by the Native Authority, Yola. From Madagali to Mambilla this tendency was evident with few exceptions. In a lesser degree the majority in the north points the same way. An examination of the voting figures supports this view by comparison of the results in places where District Heads were imposed from outside the territory with results in areas where District Heads were selected from the local population. The few stations in Wukari, where a Native Authority of local composition has been established, voted 'white' solidly. As a further example of votes being cast with forethought it may be noted that on the Mambilla plateau the villages adjacent to the French border voted for the first alternative against the local trend,—presumably in fear of affiliation with the independent Republic of the Cameroons.

60. The co-ordination of the work would have been greatly simplified if W/T communications had been available from the beginning of October. There were similar difficulties in Togoland. Experience has shown beyond doubt that it would be unwise to attempt to organise a plebiscite in the Southern Cameroons if reasonable communications are not provided from the start.

61. There were some shortcomings in the polling equipment. The baft for the polling booths was insufficiently opaque and necessitated the erection of matting to secure secrecy. The lids of the ballot boxes were inclined to stick, possibly through the application of an extra layer of paint. A number of boxes had to be prised open and three keys were broken in wrestling with locks. But by and large the arrangements worked with efficiency and smoothness, thanks to the forethought and hard work put in by the Returning Officers and their staffs.

62. Sincere gratitude is due to the United Nations Commissioner and his team, both individually and collectively. The high degree of co-operation maintained between them and the Administering staff was the foundation of any success attending the operation. It was indeed a pleasure to work with such an able and active Commissioner.

496 DO 35/10475, no 11

2 Dec 1959

[Oil]: letter from S J G Fingland to A Emanuel on future oil production levels in Nigeria

I sent you in September, 1958 a copy of a note I prepared on a visit I had just paid to the Shell/B.P. Exploration area in the east of Nigeria.

Recent developments and statements tend to support the very broad impressions I gave in that note of what might be the eventual scale of production of oil in Nigeria. I attach a copy of a recent press report describing the position reached at the end of 1959.¹ A statement was also published earlier in November by the Managing Director of the Shell/B.P. Exploration Company in Nigeria that they 'now have absolute

¹ Not printed.

confidence that Nigeria will be an oil producing country of some size'. He qualified this by saying, however, that it was unlikely that crude oil production in Nigeria would ever reach the levels of the great producing countries of the world. At the same press conference, the General Manager of the Company said that by 1964 it was hoped that a balance would be struck between expenditure and income by an increase in production of to about 40,000 barrels per day against the present figure of around 15,000 barrels. If progress is maintained it is hoped by 1961 to begin to show a profit on the exploitation of Nigeria oil.

If development continues in this way without setbacks, it would seem reasonable to hope that in the not too distant future, the export of crude oil might, in terms of value, turn out to be Nigeria's biggest single export.

I am sending a copy of this letter, with its enclosure, to Mark Allen in the C.R.O.

497 CO 554/2123, no 156

16 Dec 1959

[Federal elections]: letter from Sir J Robertson to C G Eastwood on his invitation to Alhaji Abubakar Tafawa Balewa to form a new government

[Elections for the 312 seats in the Federal House of Representatives took place on 12 Dec with an approximately 80 per cent turn-out. The franchise was based on an adult suffrage throughout the Federation except Northern Nigeria where women did not have the vote; these were the first direct elections in that region. Although the NCNC/NEPU alliance won the highest proportion of votes across the country, the NPC won the most seats with 142; the NCNC/NEPU alliance won 89 and the AG 72, with 9 going to independents. Not least of the consequences of the elections was the disappearance of the DPNC and its leader K O Mbadiwe, who failed to get elected. The NCNC won the East, while in the West, the AG reversed its defeat at the hands of the NCNC in 1954. These results left the NPC without an overall majority in the House of Representatives and negotiations between the various parties, including for a possible AG-NCNC coalition, ensued. In the event, discussions between the NPC and the NCNC led to an NPC-NCNC government being formed. Following Awolowo and Azikiwe's elections to the House of Representatives, S L Akintola was appointed premier of the Western Region and M I Okpara premier of the East.]

I saw Alhaji Abubakar Tafawa Balewa at 12 noon this morning. I first of all congratulated him on the result of his own election at Bauchi S.W., and on his comfortable majority. He said he had never really been anxious about it.

I then told him that by the constitution it was my duty to call on the member of the House who seemed to me best able to command a majority to be the Prime Minister, and said that as he now was obviously going to lead the largest party I was ready to call on him forthwith. But I said he might prefer to go away and consider how he was to make up his coalition. He might have negotiations to undertake and find it difficult to ensure a majority. When he saw his way clear he could come back and accept the office. Alhaji Abubakar said that he wished to be appointed forthwith: that he was confident he could form a government commanding a majority; and hinted that he would be able to dictate his terms better if he had a mandate. I therefore appointed him as Prime Minister, and invited him to form a government.¹

¹ Azikiwe argued that this appointment, since negotiations between the various parties were still in progress, was greatly premature.

I asked him how he proposed to get the extra following required to make up a majority and he told me that he didn't think it would be difficult. The six man N.C.N.C. splinter group at Ibadan who had won the elections as Independents would join him, and had been meeting him at the airport. He thought Chief Festus Okotie Eboh would also come in and might bring some of the Mid-West N.C.N.C. with him. He also told me that Chief Rosiji—the former Action Group Federal Minister of Health—had already called on him in his house, and told him that the Action Group was ready to form a National Government again if he wished. Abubakar said he didn't think his own party would agree to have a coalition with the Action Group after the way the latter had treated the N.P.C. in recent months, indeed ever since the 1957 Constitutional Conference, where the Sardauna had found Awolowo seducing Tarka, Dokotri and others away from their Northern alliance.

Abubakar said he was going back to Kaduna with the Sardauna and would do his Cabinet building there. I think I must have shewn my surprise at this, for he then explained that he wished to ensure the support of his party in the North for all that he did. But I could rest assured he would have an all-Nigerian Cabinet and not just a Northern one. His party would not agree to surrender the office of Prime Minister to anyone.

He and the Sardauna had lunch with us at Government House and went off at about 2 p.m. to return by air to Kaduna. I understand that they have invited Dr. Azikiwe and Chief Festus Okotie-Eboh to visit Kaduna on the 17th and that they have now set out. The Prime Minister said he would return to Lagos on the 19th (Saturday) and hoped to have his list of Ministers ready for me then.

He said he was aiming at a Cabinet of about 18. I said surely this was too big, and there wouldn't be enough for them all to do. It would be better to have fewer and increase them after independence, when external affairs would loom larger and he would require more people for conferences abroad etc. He said that there was a lot of pressure upon him: he could hardly get away with less than ten Northern Ministers, if the party was to reap the fruits of success, and he would like to have eight others to make it representative of Nigeria. I hope, however, that my comments may have some restraining effect. I gathered from the Prime Minister that he would like to have Chief Festus, Mr. J.M. Johnson and Mr. R.A. Njoku in his Cabinet if their party would let them serve. He does not want to be forced to have either Mr. T.O.S. Benson or Mr. Jaja Wachuku. He thinks he can find ten Northerners who are capable of being Ministers.

I'm sending copies of this to Rankine, Stapledon and Bell for their information.

498 CO 554/2123, no 167

20 Dec 1959

[New government]: inward telegram no 243 from Sir J Robertson to Mr Macleod on the negotiations between Alhaji Abubakar Tafawa Balewa and NCNC leaders over the formation of a new government

I was informed last evening that Prime Minister was having difficulty with N.C.N.C. over Cabinet building, and was finding it difficult to accept some of their conditions for a coalition. I invited him to see me this morning.

2. He told me that N.C.N.C. have made following demands:—

- (a) Dr. Azikiwe to be Governor-General after independence.
- (b) Mid-West state to be set up after independence.
- (c) Lagos Federal territory to be extended after independence.
- (d) Mr. Mbu¹ to be sent back to Washington as Nigerian Liaison Officer.
- (e) Speaker to be retired after forthcoming meeting of the House.
- (f) Until independence Azikwe to be President of the Senate.

3. I have advised the Prime Minister as follows: This is a matter affecting the Queen's prerogative and no announcement can be made until Her Majesty has been consulted and approached. In any case, an active politician would be a bad choice, and it might be very difficult for the Prime Minister if Azikwe still remained head of a party. Prime Minister said that before independence something might have happened to enable N.P.C. to break their agreement with N.C.N.C. and avoid this situation, which he agreed would be most serious for Nigeria's credit abroad and in every way. He said this was to be kept secret but stated that it was bound to leak.

4. I said I thought both (b) and (c) were carrying on a political vendetta, and that, at a time when Nigeria should be as united as possible, this would be merely stirring up party feelings again.

5. Regarding Mr. Mbu, I told him that, if he sent him back to Washington, Mbu would lose his seat in the House under Section 10 (d) of the Constitutional Order. In any case I said I thought that the British Ambassador would find it difficult to take back a man who had left his post under the Ambassador's jurisdiction without having the courtesy to inform him.

6. The Speaker had been invited last year to stay on until after the budget session and to retire him after the January meeting would be to go back on an undertaking. The N.C.N.C. want to appoint Jaja Nwachuku [sic: Wachuku] as Speaker.

7. I had myself suggested President of the Senate as a possible post for Azikwe as being honorific without giving him much opportunity for interference in the Government.

8. The Prime Minister said that he hated all these conditions and that he and his party advisers disliked intensely having to accept them, but they knew that the Action Group were making strong overtures to the N.C.N.C. that they should unite to form the new Government and that he and his friends thought this would be to the grave detriment of Nigeria as it would undoubtedly split the country. They thought that they must accept them and do all in their power to increase their following in the House so that they could break the coalition when they were strong enough.

9. I asked how far he was to be free to take his own line and make his own appointments etc. He said the N.C.N.C. wanted eight seats in a Cabinet of eighteen, but he hoped to get away with seven, four of whom would be the previous Ministers. If an N.C.N.C. Minister's place became vacant another N.C.N.C. man would take it up. He thought he would be allowed some say in the choice.

10. Abubakar seemed deeply annoyed and a little dispirited. He is having a further meeting with the N.C.N.C. this morning and hopes to be able to come and report progress later today. I shall keep you informed of what transpires.

¹ M T Mbu had been, in 1955, the first Nigerian to be appointed commissioner for Nigeria in the UK; in Oct 1959 he was the first Nigerian to be appointed head of the Nigerian Liaison Office in Washington, a post he now vacated.

499 CO 554/2123, no 170

21 Dec 1959

[New government]: inward telegram no 245 from Sir J Robertson to Mr Macleod on the formation of a new government [Extract]

Reference my telegrams Personal Nos. 243¹ and 244.

I had a further conversation this morning with the Prime Minister when we discussed the assignment of responsibilities to his new Ministers. This was satisfactorily concluded.

2. I shall hold a council meeting on 24th to swear in members and conduct out-standing business. We agreed to summon the Legislature to meet on 11th January but formal opening will be on 13th January with speech from the throne. I also advised Prime Minister to arrange to send strong delegations to French Cameroons independence on 1st January and to Monrovia for Tubman's inauguration on 4th January.² He said he hoped to go to the latter himself. I impressed on him advisability of taking every opportunity of making himself better known.

3. He told me that his negotiations with the N.C.N.C. had been very difficult and that more than once the Sardauna and he had been tempted to call their bluff and tell them to form a Government with the Action Group which he thinks might have meant a split in the party. He had been disappointed by Festus who, after promising, if necessary, to join him had played cautious game in the discussions.

4. He told me (reference Lord Perth's telegram Personal No. 317) that he thought Azikiwe could do less harm as constitutional Governor-General than as Foreign Secretary and mentioned that, when N.C.N.C. asked when my term of office ended he had replied it had been extended indefinitely. I gather that this proposal is only tentative at the moment and that N.P.C. could only agree to it if Zik gave up his party leadership and became politically neutral. It is agreed for the present that Zik should be elected president of the Senate and Prime Minister thinks there will be no difficulty (group missing ? over) this.

5. Regarding other conditions mentioned in paragraph 2 of my telegram Personal No. 243, (b) and (c) are for future and Prime Minister did not seem worried by them. (d) Mbu has been made a Minister of State and will not return to Washington.

6. I asked Prime Minister if he thought Azikiwe would interfere with Federal Government and he replied he had made it clear he would not stand any interference. He thought once the Council settled down he could keep it together, when I asked if it would not collapse in three or four months he laughed and said he hoped it would last longer than that and thought he could cope with N.C.N.C. Ministers. . . .

¹ See 498.

² Cameroun gained its independence from French administration on 1 Jan 1960. William Tubman, President of Liberia, 1944–71.

500 CO 554/2408, no 7

23 Dec 1959

[New government]: letter from Sir G Bell to C G Eastwood on the formation of a new government

[Following negotiations between the various parties, the NPC-NCNC coalition government was formed under Tafawa Balewa on 24 Dec with 10 NPC ministers and 7

NCNC. Awolowo became leader of the opposition. Azikiwe was appointed to the Senate and in Jan 1960 elected as Senate President.]

You have had from the Governor-General the picture of how the N.P.C./N.C.N.C. coalition Government came into being. You may now like to hear how the negotiations have appeared from this end. The Premier¹ when I saw him yesterday said that he and the Prime Minister had had a very difficult time and that Zik's price for coming into the coalition had been high, one of his conditions being that he would be the next Governor-General.

The Premier and the Prime Minister were equally opposed to this proposal and had managed to stall it off on the ground that the Governor-General's appointment was at present of 'indefinite' duration and nothing could be done until it came to an end. Zik had made the alternative suggestion that he should be President but, as they had no intention of Nigeria becoming a Republic, they had opposed this too.

The Premier's view, which was shared by the Prime Minister, was that the best thing to do was to bide their time. After six months of coalition the N.P.C. would be in a strong position to deal with Zik. There was always a tendency among members to cross the carpet to the winning side and any attempt by Zik to join with the Action Group would only split his own party. Those in the N.C.N.C. who held office as Ministers would be very unwilling to risk such a manoeuvre.

The Premier still hoped that he might be able to win over the Tiv members who had won their seats on the U.M.B.C./A.G. alliance. N.E.P.U., he considered, were irreconcilably opposed to the N.P.C. and refused to join the present coalition, though they might have done so had it been an N.C.N.C./A.G. one.

The main object of the Prime Minister, therefore, at this time is apparently to frustrate Zik's designs, to prevent him from becoming Governor-General and to oppose any move he might make to become Foreign Minister, where his 'neutralist' ideas would be dangerous.

¹ ie the Sardauna.

501 FO 371/146831, no 1 12 Jan 1960 **[Macmillan's visit to Nigeria]: FO record of a conversation between the UK and Nigerian prime ministers at Lagos on 12 Jan**

[Between 11 and 18 Jan, Macmillan visited Nigeria as part of an African journey which also included visits to Ghana, the Federation of Rhodesia and Nyasaland and South Africa (see 508, note 1). His time in Nigeria, which involved meetings with political leaders and a speech to the newly elected Federal Parliament, encompassed visits to Lagos, Ibadan, Enugu and Kaduna.]

Future problems

1. Internal Affairs

Alhaji Abubakar said that there were many immediate problems confronting Nigeria. It was a large country, composed of different peoples and different tribal groups. There had been considerable bitterness aroused during the election campaign and it was now necessary for him to work hard to try to nurse the community into a state of realisation of national unity.

All three main Parties, broadly speaking, fought the election on a basis that although they were a regional Party they really had national interests at heart. The Action Group had made some ground in the Eastern Region by exploiting inter-tribal differences and had also gained ground in the North, where they had exploited religious differences between Moslems and non-Moslems.

Alhaji Abubakar said he would very much have liked to treat the first period of Nigerian independence as an emergency and therefore as something which called for government by a national Government. Unfortunately the Action Group had proved themselves to be very difficult partners when sharing the responsibilities of Government in the past and they would not join a coalition, although they had made approaches to him after the election results were known on the basis of forming an alliance with the N.P.C. They had also tried to form a coalition with the N.C.N.C. He, Alhaji Abubakar, had felt it to be important that the largest Party resulting from the first General Election should take the responsibility of forming a Government. It would seem to the ordinary man wrong that this should not be so. He had therefore brought about an agreement between the N.P.C. and the N.C.N.C. The deal had been that Zic [sic] should be made President of the Senate—he did of course want to be Governor General in due course. It must be remembered that N.C.N.C. was not an easy Party and Zic [sic] was a difficult man to understand. He had made it quite clear that the coalition would come to an end if there were attempts to interfere with the Prime Minister. He thought it would all be rather difficult to work out and hoped that the Opposition would play fair.

The Prime Minister said that clearly the first job was to keep the new Nigerian State in being as a single unit. He asked what Alhaji Abubakar had in mind about any change in the Governor Generalship. *Alhaji Abubakar* said that he had often felt that territories achieving independence had made too early a change in the Governor Generalship. He had not yet finally made up his mind but he had been considering the possibility of asking Sir James Robertson to stay on for at least a year: he had been a very good friend to Nigeria.

2. *External affairs*

Alhaji Abubakar said that he was not very happy about his neighbours, which were now becoming independent. He had long, open frontiers which were necessarily unprotected. He did not have very large military forces and might have considerable difficulty in maintaining the security of the country. His colleagues had particularly asked that he should take up with the United Kingdom the question whether they would come to the aid of Nigeria if there were a threat from outside. He had told them that this would not be easy, short of a war, after the date of Independence, but he wanted the United Kingdom Prime Minister to know about this.

Alhaji Abubakar had been in Liberia 10 days previously for the Independence¹ celebrations. He was unhappy about the situation there. He thought that Liberia and Guinea were playing into the hands of the Communists. Although in the past they had had very close connection with the United States, they did not now appear to be friendly to them, for example they had given the British Minister of State a higher place than Mr. Cabot Lodge.² He was also aware of the effort the U.S.S.R. was putting into influencing Ghana.

¹ Sic. Inauguration.

² US representative to UN, 1953–1960.

Alhaji Abubakar spoke at some length about the attempts the Israelis were making to extend their influence in West Africa. He had seen the Israeli Foreign Secretary³ when in Liberia and had told her there were strong rumours circulating in Nigeria that the Israeli Government had given money to the Action Group to help them fight in the Nigerian election campaign. She had said that there were many nations who wanted to get rid of Israel and there were people who were always ready to spread false rumours. She had asked about setting up an Israeli Consulate in Nigeria and he had told her that this application should be renewed after Independence. He had been concerned to learn the previous day that the Eastern Region had invited her to visit Nigeria. He had put his foot down on this as external affairs was a Federal responsibility.

Alhaji Abubakar said that Ghana was going to cause difficulties in West Africa. They seemed to attract all the extremists.

The Prime Minister thought it would be easy to over-estimate the danger here. It was true that Independence had gone a bit to their heads as they were the first, but they would probably steady down when other larger countries in West Africa had achieved their Independence.

Alhaji Abubakar referred to trouble in the French Cameroons, and in particular to the occasion when people had fled from the British Cameroons to Nigeria. The Nigerian Government (which was then largely a Council of Ministers as it was during the 1957 Conference in London on the Nigerian Constitution) had decided that these people must be deported to somewhere other than the French Cameroons. They had therefore sent them to the Sudan. Egypt had then taken up the case and had treated the matter as if the people had been deported from Nigeria. This was quite misleading.

The Nigerian Federal Government was still responsible for the British Cameroons but might not be so after October 1 when they might become a British responsibility.

The Prime Minister said he would like to think over this Defence question. He would take note of what the Nigerian Prime Minister had said. It seemed to him there were two problems:—

- (a) what help the United Kingdom could give to help the Nigerians organise their defence forces, perhaps by helping with training, supply of arms and so on; and
- (b) what help could be given by the United Kingdom, perhaps by way of a treaty to help the Nigerians with their military problems. He would get in touch by telegram with the Minister of Defence in London.

In discussion *Alhaji Abubakar* said that there was some trouble in Dahomey and also in Togoland, which was due to become Independent on April 27. Alhaji Abubakar particularly resented that Dr. Nkrumah had said in Parliament in Ghana that Togoland would become the seventh province of Ghana. This had been without any consultation whatever with the Togoland authorities.

Council of Ministers

Alhaji Abubakar said that the meeting later that morning would be with the Federal Ministers. There were in each of the three Regions a Parliament, a Governor and a Premier. There would probably be many discussions between the Federal and the Regional authorities but all the limits had been clearly laid down in the Constitution.

³ Golda Meir, Israeli foreign minister, 1956–1966.

502 PREM 11/3047

14 Jan 1960

[Defence agreement]: inward telegram no 25 from Mr Macmillan to Cabinet colleagues on discussions with Alhaji Sir Abubakar Tafawa Balewa concerning the future defence of Nigeria

Please pass following personal message from Prime Minister to Home Secretary, Foreign Secretary, Colonial Secretary and Minister of Defence.¹

At his first official call on me yesterday Federal Prime Minister expressed anxiety about the future defence of Nigeria's frontiers.² The same point was made at the meeting of the Council of Ministers which I attended later in the day.

2. With the disintegration of French West Africa Nigeria may soon be surrounded by a number of small independent states with varying standards of efficiency some of which may be exposed to hostile influences and penetration. This will greatly increase the risk of infiltration across the frontier and the possibility of border incidents of one kind or another. Federal Government are evidently concerned about their capacity in those circumstances to preserve the territorial integrity of Nigeria.

3. This is the question which will be in the forefront of their minds when they come to consider any proposals for a defence agreement. It is important that in framing such proposals we should do all we can to reassure them about this.

4. It is natural that in considering these agreements we ourselves should be concerned mainly with the facilities which we should like to have in the territory for our own purposes especially in global war. But the more immediate problem in this part of the world is that of maintaining the integrity of this British territory against infiltration against its frontiers. It is true that after independence this will be primarily the responsibility of the Nigerian Government. But it is a responsibility which they may not be able to discharge without our help. And we shall certainly find it easier to secure the facilities we want from them if we can make them feel that they can expect some assistance from us in this matter. For it is now one of their main preoccupations.

5. I should like to discuss this problem in the defence committee on my return.

¹ ie Richard (Rab) Butler, John Selwyn Lloyd, Iain Macleod and Harold Watkinson.

² See 501.

503 CO 554/2337

15 Jan 1960

[Cameroons]: minute by C G Eastwood on financial aid for the Cameroons

Sir Andrew Cohen and I went to see Mr. Peck at the Treasury yesterday morning about the Cameroons, not with the intention of getting any decisions from him (except to ride him off the idea of increasing taxation) but rather to give him the general background.

This Sir Andrew did very effectively, as I thought. He explained the extreme delicacy of the whole operation, our anxiety that both parts of the Cameroons should opt to join Nigeria and the consequent necessity that our policies should not be such as to induce them to decide the other way. We both made it clear to him in no

unmeasured terms that we regarded the idea of increased taxation as fantastic, particularly in the North but almost as much in the South. We also spoke about the necessity for carrying on with a certain amount of development expenditure. At one point Mr. Peck suggested that if this was necessary it would have to come out of C.D.W. funds but we explained that it was really no more than the normal expenditure of any government on non-recurrent objects. Sir Andrew told him that the rough figure which the Northern Region had worked out for their expenditure during their financial year 1960/61 (April to March) was about £130,000 of which presumably not more than about half would fall to be spent after the 1st October.

I told Mr. Peck that I hoped to be going out to Nigeria very soon to discuss Cameroons matters.

Mr. Peck emphasized that the amount of money which the U.K. could afford for expenditure overseas was very limited and that they had to scrutinise all new proposals most carefully. We said that we fully appreciated this. We disliked this operation very much and we had no desire to make it more expensive than was essential if this very tricky operation was to be carried out successfully.

No final decisions were reached but I have considerable hope that we shall not hear much more of the idea of further taxation. On development projects we agreed that it would be necessary to look at proposals in more detail. The first thing was to get proper estimates prepared. I said that we would take this up with Nigeria straight away.

504 CO 35/9344, no 50

1 Feb 1960

[Nigerian-Ghanaian relations]: letter from A W Snelling¹ to S J
Fingland on recent misunderstandings between Nigeria and Ghana

[Early 1960 saw a further deterioration in Nigerian relations with Ghana. Not least of the causes of this were Tafawa Balewa's fears that Nkrumah's ambitions included the break-up of Nigeria. (CO 554/2537, no 1, Robertson to Poynton, 19 Feb 1960).]

I can see that we are going to have increasing difficulty in trying to preserve friendly relations between Ghana and Nigeria. There have been two recent incidents which show how easily misunderstandings can arise between them.

2. The first was in connexion with the journey of the Prime Minister of Nigeria to Monrovia for the inaugural of President Tubman. We had a copy of the telegram M. 1077 of the 24th December from Lagos to Balogun² about Abubakar's halt at Accra early on Sunday morning, 3rd January, and his proposed further stop for lunch on his way back on 6th January. We checked with Balogun that he had the matter in hand and with the Ministry of Foreign Affairs that they knew. However, when I turned up at the Airport to greet Abubakar on the Sunday morning there were present (apart from a horde of Nigerians) only Balogun and the Chief of Protocol from the Ministry of Foreign Affairs. No Ghanaian Minister turned up. As Ghanaian Ministers are inveterate plane-meeters I asked the Chief of Protocol why none of them were there, and he said his Ministry had only received a letter after mid-day on Saturday to say that Abubakar was coming soon after dawn on Sunday. Balogun went

¹ UK high commissioner to Ghana, 1959–1961.

² Nigerian high commissioner to Ghana, 1959–1961.

off to Monrovia in the same plane as Abubakar and I was not able to find out from him then exactly what had happened. I understand however that Abubakar was annoyed at no Ghanaian Ministers having shown up to greet him, and as a result he cancelled at short notice his lunch party at the Airport on his way back a few days later.

3. It is conceivable, as Abubakar evidently supposes, that the failure of any Minister to turn up to meet him on the first occasion was a deliberate gesture of discourtesy. But this explanation seems to me to be improbable, and I think it more likely that the omission was due to bungling and incompetence. Balogun himself, though perfectly delightful to deal with, is not the acme of efficiency. Nor is the local Chief of Protocol. Nor is the Ministry of Foreign Affairs in general, particularly when it comes to dealing with matters after the office has shut for the week-end at noon on Saturday. I suppose the Chief of Protocol should have realised, as a result of what had been said to him earlier, what was expected of the Ghanaians. But I know from experience how difficult it sometimes is to follow what Balogun is saying. So the upshot is that umbrage has been taken where probably no discourtesy was intended.

4. Now there has been a flare-up this week-end over the failure of the Nigerian football team to turn up for the semi-finals of the Kwame Nkrumah Gold Cup Competition in Kumasi. I talked to Preston about it and he sent me an admirably decisive telegram. This seems to me to be another typical pan-African muddle. It is a characteristic of the Ghanaians that when they receive an answer which they do not like, and when they have made representations against it, they assume that their wishes will be met until they hear to the contrary. (This happened when Hammarskjöld³ was visiting Accra on his way to Lome and the Ghanaians asked him to stay four days instead of two, did not wait for his answer, assumed that he was willing to fall in with their wishes, arranged a four day programme for him, and were annoyed when on arrival he said he was sticking to his original programme of staying only two days.) Apparently, the Ghanaian football authorities asked Nigeria to come here for the match, received a negative answer, asked the Nigerians to change their minds, and proceeded on the assumption that the Nigerians had done so, even to the extent of continuing to sell tickets for the match. So Nigeria is now being criticised in the Ghanaian press and I enclose a cutting from this morning's paper.⁴ The let-down is all the more wounding to Ghanaian pride because this competition had been built up in the local press as a symbol of West African unity!

5. After October 1st I suppose these incidents will be of less concern to us, though I fear that in any major differences of opinion both of them will be devoting a fair amount of energy to trying to get us on their side against the other, like India and Pakistan. However, until October 1st we presumably have to try and smooth over all the misunderstandings as best we can. It is a pretty thankless task. I think that there is nothing we can do about the storm in the football teacup. But if you can do anything to soothe the ruffled feelings over the omission of Ghanaian Ministers to parade at the airport for Abubakar, I think it would be a help.

6. It might be useful for Wakely to discuss these problems with you when he visits Lagos shortly.

7. I am sending a copy of this letter for information to Chadwick.

³ Dag Hammarskjöld, secretary-general of the UNO, 1953–1961.

⁴ Not printed.

505 CO 554/2536, no 26

12 Feb 1960

**[Nigerian foreign policy]: letter from Sir P Dixon¹ to C D O'Neill (FO)
on Nigeria's future policy in the UNO****[Extract]**

[In early 1960 concern was being expressed in the CO and CRO over Nigeria's future foreign policy stance, especially in the UNO. This was stimulated by, among many things, Nigerian opposition to French atomic testing in the Sahara; the first French test occurred on 13 Feb 1960. This document, referring to a vote in the UN General Assembly on the moratorium over recognition of Communist China, illustrates British concerns over Nigeria's likely future position.]

. . . Liberia is the only African state which continues to support the United States. I think it is fair to say that many of the other Afro-Asian countries who either support the moratorium or abstain are only held to their traditional positions with increasing difficulty by the Americans, and that if they were to take a fresh decision today without the incubus of their past practice, the result would probably be different. Moreover, as I mentioned above, the most active and persuasive members of the group, such as India, the United Arab Republic and Ghana, vote against the moratorium.

5. It will be our aim that Nigeria should become as soon as possible both a powerful and a moderating influence within the Afro-Asian group. To some extent these attributes will tend to be mutually exclusive inasmuch as the extremist members of the group tend to be more influential than the moderate. If, therefore, Nigeria marked her debut by voting differently from the leaders of the Afro-Asian group on the moratorium, her account with the group would be opened, so to speak, with a deficit. It would be concluded that the Nigerian vote, whether in favour of the moratorium or an abstention, had been delivered in response to a United Kingdom demand with United States influence in the background. Her political influence depends upon her being seen to be making up her own mind independently on matters of foreign policy. On this issue, above all others, support for the U.S. would be regarded as proof that she was not doing so. It must also be remembered that there will be other issues of more immediate importance to the United Kingdom on which we shall need to use our influence with the Nigerians to persuade them to oppose more extreme Afro-Asian positions. From the United Nations point of view, therefore, there are strong arguments against putting any pressure on Nigeria to follow us over the moratorium in a policy which we pursue not because we regard it as intrinsically sound but because of overriding considerations of Anglo-American relations. . . .

¹ Sir Pierson Dixon of UK mission to UNO, UK representative to the UN, 1954-1960.

506 DO 35/10441, no 95a

12 Feb 1960

**'Nigeria': report by the Joint Planning Staff on Nigeria's defence needs
after independence (JP(60)13(Final)). Annexes: 'A' and 'B'**

In accordance with the instructions⁺ of the Chief of the Defence Staff, we have examined the military problems which will face Nigeria after she has obtained independence.

2. We have taken account of the record of the Prime Minister's conversation with the Prime Minister of Nigeria on 12th January, 1960.¹ We have consulted the Foreign Office, the Commonwealth Relations Office, the Colonial Office, the Ministry of Transport, the Joint Intelligence Committee, the Joint Intelligence Bureau, the Joint Administrative Planning Staff and the British Joint Communications Electronics Board. Our report is at Annex 'B', and a summary, in the form of a draft Memorandum to the Minister, is at Annex 'A'.

3. In the course of our examination of the external threats to an independent Nigeria, we have been forced to consider the situation after 1st October, 1960 in the British Cameroons. We note that the problem of how to provide IS forces is urgent; it could involve the despatch of forces from the United Kingdom or Kenya.

Recommendations

4. We recommend that, if they approve our report, the Chiefs of Staff should:—

- (a) Forward the draft Memorandum at Annex 'A' to the Minister of Defence.
- (b) Invite the Ministry of Defence to forward the report at Annex 'B' to the Colonial Office as an expression of their views.²

Annex 'A' to 506: Draft memorandum from the chief of the defence staff to the minister of defence

1. We have examined the military aid which the United Kingdom would be prepared to give in the event of a request for help from the Nigerian Government, and the facilities which would be required in such a situation.

2. A Defence Agreement is being prepared for the day when Nigeria achieves independence. This provides for mutual assistance and consultation. In return for military assistance in the form of loans of personnel, training, provision of minor warships, weapons and equipment, and operational and technical advice, the United Kingdom would obtain overflying rights and air staging and communication facilities at all times, and port and maritime fuelling facilities in emergency.

3. Despite the increasing number of small independent states on the borders of Nigeria, the main threat to Nigerian security is on her south-eastern border from Cameroun through the British Cameroons. Until greater stability has been achieved in Cameroun there will be a continuing likelihood of minor incidents and border infiltration, but these constitute a localised threat to internal security in limited areas, rather than a threat to Nigerian national security.

4. Nigerian security forces should be capable of dealing with any likely threat from outside their borders provided the internal situation remains reasonably stable and the United Kingdom continues to assist them with advice, training and equipment.

5. Internal security in the Northern and Southern Cameroons, at present undertaken by Nigerian forces, becomes a direct United Kingdom responsibility from 1st October, 1960 until their administration has been transferred effectively to independent Nigeria and/or Cameroun as a result of separate plebiscites due to take

¹ See 502.

² This paper was approved, with minor amendments, at a meeting of the Chief of Staffs committee on 16 Feb 1960.

place in April 1961. While it is largely in the direct interest of Nigeria that stability in this territory should be maintained, there will be no effective military force in the country to support whatever police organisation may be set up when the Nigerian infantry battalion is withdrawn on 1st October, 1960. It would be politically objectionable for these forces to remain, although from the military point of view it would be extremely sensible since they are acclimatised and experienced. The problem of their replacement is therefore urgent.

6. Provided the many difficulties can be overcome, the formation of a Local Defence Force, which is now being examined by the Colonial Office will, once it is effective, offer the best solution to the problem of maintaining internal security in the British Cameroons. If it is to be ready in time, it will have to be based on a strong cadre of officers, NCOs and men from the existing Nigerian forces.

7. In the event of a request from Nigeria to the United Kingdom for military assistance in emergency, or if there were unrest in the British Cameroons during the period after 1st October, 1960, there might be a requirement to fly in a force of up to one infantry brigade group together with air transport support. Existing plans for this are being revised so that they could be implemented after Nigerian independence in either eventuality.

8. In the second eventuality, the United Kingdom would require the additional right to move forces by land through Nigeria to the British Cameroons and to operate aircraft in support. In both cases the airlift could be considerably reduced, and subsequent operations facilitated, if the Nigerian Government were to provide as much logistic assistance as possible from local resources.

Annex 'B' to 506

Introduction

1. With the disintegration of French West Africa a situation may soon arise in which Nigeria will find herself surrounded by a number of small independent states some of which may be exposed to hostile influences and penetration. This will greatly increase the risk of infiltration across the frontier and the possibility of border incidents. After Nigeria obtains independence on 1st October 1960, the problem of maintaining the integrity of her territory will be the responsibility of the Nigerian Government. Nevertheless, it is possible that in certain circumstances United Kingdom help might be sought.

Aim

2. The aim of this paper is to examine:—

- (a) The military aid which the United Kingdom would be prepared to give in the event of a request for help from the Nigerian Government.
- (b) The facilities which would be required to meet such a situation.

Background

Nigeria and the British Cameroons

3. Following the 1914–1918 War the area on Nigeria's eastern border, now known as the British Cameroons, came under United Kingdom mandate and the

territory has been administered as part of Nigeria. In accordance with decisions of the United Nations, the British Cameroons have to be separated from Nigeria by 1st October 1960, the date on which Nigeria becomes independent. During the following six months there are to be separate plebiscites in the Northern Cameroons and the Southern Cameroons, giving the inhabitants the choice of permanently joining Nigeria or the independent state of Cameroun, which was formerly administered by the French.

4. For a period of at least nine months, therefore, after 1st October 1960, which will cover the transition period after the plebiscites, the administration of the British Cameroons, which has hitherto been carried on through Nigeria, will become the direct responsibility of the United Kingdom.

Defence agreement between the United Kingdom and Nigeria

5. In view of the importance to the United Kingdom of overflying rights and air staging and communications facilities at all times, and of port and maritime fuelling facilities in time of emergency, a Defence Agreement has been drafted which provides for mutual assistance and consultation for mutual defence. The Draft Agreement also provides for the following United Kingdom assistance:—

- (a) Personnel to help in the staffing, administration and training of the armed forces.
- (b) Facilities for training Nigerian officers and men at training establishments in the United Kingdom.
- (c) An adequate supply of such modern weapons as may be considered suitable and necessary.
- (d) Certain minor warships.
- (e) Expert advice and assistance, when requested, on operational and technical matters.

The threat to Nigeria after independence

From the North and West

6. The Joint Intelligence Committee consider that there is no immediate threat to Nigeria from Chad or Niger, and that such a threat does not seem very probable in the foreseeable future when these territories may no longer be under French control.

7. Dahomey has a history of violence and is at present divided on the question of further constitutional advance. Disturbances in this territory could conceivably spill over into border areas of Nigeria, but the threat at present is not regarded as serious.

8. Although the likelihood of any easterly expansion by Ghana is remote at present, there is a possibility that she may at some time attempt to absorb Togoland. However, it is unlikely that she could extend her influence to cover Dahomey, and there is therefore no likelihood of her achieving a common frontier with Nigeria.

From the East

9. Such immediate threat as there is to Nigeria arises from the situation in Cameroun and is mainly confined to the southerly parts of the Southern Cameroons. In Cameroun itself there is a very unstable situation with armed bands attacking property and persons. This trouble is to some extent political and to some extent a result of anachronistic tribal and land systems. As a result of this terrorist activity

some 35,000 to 55,000 refugees have fled to the Southern Cameroons and among them are a number of terrorists, perhaps a hundred or more, who use British territory as a base for raids into Cameroun. This situation can be expected to continue at least until greater stability has been achieved in Cameroun. The Cameroun Government, with French military assistance, are taking action against the terrorists. It is too early to forecast the result of this; it may increase the number of refugees in the British Cameroons. Nigeria is directly affected by this trouble since the British Cameroons are at present an integral part of Nigerian territory. A Nigerian infantry battalion is stationed there for internal security. The boundary between the British Cameroons and Cameroun is largely undemarcated and in very difficult country.

10. We examine the future threat in this area in two periods:—

(a) *The period after 1st October 1960.* During this period when the British Cameroons will be under direct United Kingdom administration, they could to some extent form a buffer state between Cameroun and Nigeria. However, a clash between the supporters of the rival choices in the plebiscites, or lack of an effective interim administration, might lead to trouble which could spread into Nigeria.

(b) *The period following the British Cameroons' plebiscites.* The situation in this period will depend on the results of the plebiscites. If the Southern Cameroons decide to join Cameroun, continuance of the present terrorist activity in the latter country might be contained within its expanded territory and thus remain east of what would then be Nigeria's border. However, it is conceivable that the trouble might spill into eastern Nigeria. On the other hand, if the Southern Cameroons choose to become part of Nigeria, the situation would remain as described in paragraph 9 above.

Summary of the threat

11. Despite the increasing number of small independent states on the borders of Nigeria, the main threat to Nigerian security is on her eastern border from Cameroun. Until greater stability has been achieved in Cameroun there will be a continuing likelihood of minor incidents and border infiltration, but these constitute a localised threat to internal security in limited areas, rather than a threat to Nigerian national security.

Nigerian security forces

The Nigerian military forces

12. The GOC Nigerian Military Forces is appointed from the United Kingdom which also supplies a number of officers and technicians.

13. *Navy.* By the time Nigeria achieves independence the naval forces are expected to consist of:

- 1 'Algerine' Ocean Minesweeper
- 1 Seaward Defence Motor Launch
- 2 Minesweeping Motor Launches
- 1 Landing Craft Tank (Mark 4).

A Seaward Defence Boat will be completed by the end of 1961. In peacetime, the role of the Nigerian Navy includes preserving the integrity of Nigeria's territorial waters.

14. *Army.* The Nigerian Army consists of five infantry battalions with supporting and administrative units. It is an efficient force and we believe that it should be capable of dealing with the kind of local troubles that might arise on the frontiers of Nigeria, including the British Cameroons, provided it receives the assistance foreshadowed in the Defence Agreement (see paragraph 5 above).

15. *Air Force.* There is at present no Nigerian Air Force but arrangements are being made to present Nigeria with two Chipmunks for flying training.

16. *Police.* These number about twelve thousand and include some two hundred British officers. They are an efficient force which can in an emergency produce a striking force organised on military lines of the equivalent of battalion strength. They are equipped with rifles and light automatics.

17. We therefore conclude that Nigerian security forces should be capable of dealing with any likely threat from outside their borders if the United Kingdom continues to help them with advice, training and equipment, and provided the internal situation remains reasonably stable.

Internal security of the British Cameroons after 1st October 1960

18. From 1st October 1960 until the plebiscites have taken place in the British Cameroons and their administration has been transferred effectively either to Nigeria and/or to Cameroun, the United Kingdom will be entirely responsible for their internal security even though it is largely in the direct interest of Nigeria that stability should be maintained. With the departure of the Nigerian infantry battalion, there would be no effective military force in the country to support whatever police organisation may be set up. The problem of its replacement is therefore urgent.

19. *Local Defence Force.* The British Cameroons have no Local Defence Force of their own at the moment, and any such organisation would have to be built up from scratch. The raising of such a force would involve considerable United Kingdom assistance in the form of stores and equipment and there would be difficulty over the provision of British officers and NCOs and the recruitment of other ranks in the time available. It is very unlikely that the formation of an effective battalion could be achieved by 1st October 1960 unless it were done by throwing off a strong cadre of officers, NCOs and men from the existing Nigerian forces. This problem is now being examined by the Colonial Office.

Security forces from Nigeria

20. *Nigerian Army.* The stationing of a battalion from the Nigerian Army in the British Southern Cameroons after 1st October 1960 would probably be politically objectionable, as it could be interpreted as a step towards absorbing the Southern Cameroons into Nigeria, or at least of influencing the plebiscite. The same objections would apply to a lesser extent to the despatch of reinforcements from the Nigerian Army in the event of trouble during this period. However, from the military point of view the Nigerian forces provide the means for quickest action and have the great advantage of being both acclimatised and locally experienced.

21. *Police Forces.* The expansion of the Nigerian Police force to include a form of mobile reserve for duties in the British Cameroons is not favoured by the Colonial Office, who would prefer a military organisation. This problem is now being further examined on the spot by the Inspector General of Colonial Police.

IS forces from the United Kingdom or Kenya

22. The provision of a British battalion from the United Kingdom or Kenya, to replace the Nigerian battalion in the Southern Cameroons, which might appear to be the easiest and quickest solution, is open to many objections. The cost to the Colonial Office would exceed that of providing a Local Defence Force. Politically it would confirm suspicions, already being openly expressed locally, that HM Government intends to use the Cameroons as a future military base. Militarily there would be many difficulties especially over suitable accommodation which does not exist. Furthermore, unless one of the relatively acclimatised British battalions from Kenya could be used it would take some time before a battalion from the United Kingdom would be effective in the climate of the Cameroons. We believe, therefore, that this should only be considered as a last resort.

Suggested solution

23. Provided the many difficulties can be overcome, the formation of a Local Defence Force will, once it is effective, offer the best solution to the problem of maintaining internal security in this territory. If it is to be ready in time considerable Nigerian help will be required. In case of emergency before then it should be noted that from a purely military point of view the use of experienced troops from the Nigerian Army would be the soundest plan.

United Kingdom military aid to Nigeria in an emergency

24. The Local Commander's reinforcement plan provides for the fly-in of a force arriving in Nigeria four days after the decision is taken and building up to one infantry brigade group at light scales a week later, followed by a sea lift of freight and vehicles. Related plans also provide for two Beverleys and one squadron of RAF Pioneers to be flown in for air transport support. There are only small reserves of accommodation stores and tentage in Nigeria, sufficient to provide base camps for two battalions at hard scales. Other logistic resources likely to be available locally are limited.

25. In the event of a request to the United Kingdom for military assistance or if there were unrest in the British Cameroons during the period after 1st October 1960, we foresee a possible requirement to fly in a force of up to one infantry brigade group. We consider therefore that the existing plans should be revised so that they could be implemented after Nigerian independence in either eventuality.

Facilities required by the United Kingdom in Nigeria

26. The draft Defence Agreement already provides for certain military and communications facilities to be afforded to the United Kingdom, of which unrestricted air staging and overflying rights are the most important.

27. In addition we consider that the Nigerian Government should undertake to give to the United Kingdom the unrestricted right to move by land through Nigeria to any part of the British Cameroons such forces as might have to be brought in to maintain law and order in that territory, and to operate aircraft from Nigeria in support of them, as long as the United Kingdom remains responsible for the administration.

28. In the event of the implementation of local plans to meet the situation after 1st October 1960, the airlift could be considerably reduced, and subsequent

operations facilitated, if the Nigerian Government assisted by providing as many United Kingdom logistic requirements as possible from local resources. This could include the temporary loan of local transport and tentage, the use of hospital and repair facilities and a considerable dependence on local food and petrol supplies.

29. We do not consider that the likelihood of having to implement the revised plans, is such as to warrant arrangements for stockpiling the above items. However, the Nigerian Government should be informed of United Kingdom requirements for local provision of these facilities. The extent to which they could be provided would have to be decided in the light of the situation at the time, and would affect the rate of build-up of the force.

Conclusions

30. We conclude that:—

(a) The military aid which the United Kingdom should be prepared to give to the Nigerian Government should comprise:—

(i) Assistance provided under the terms of the draft Defence Agreement with the Nigerian Government. We consider that the United Kingdom should provide this without waiting for the conclusion of the Agreement.

(ii) Military intervention in an emergency if requested. We consider that existing plans should be revised to take account of the changed situation after 1st October, 1960.

(b) In the event of a breakdown of law and order in the British Cameroons after 1st October, 1960 and pending the outcome of the plebiscites, it might be necessary to despatch a force from the United Kingdom or from Kenya and the revision of plans recommended in (a) (ii) above should also take account of this. It should nonetheless be noted that, if the political objections could be overcome, the soundest military solution would be to use troops from the Nigerian Army.

(c) The facilities which would be required in the above situations include:—

(i) The military facilities provided for in the draft Defence Agreement of which unrestricted air staging and overflying rights are the most important.

(ii) The unrestricted right to move by land through Nigeria to any part of the British Cameroons such British forces as might have to be brought in to maintain law and order, and the right to operate aircraft in support of them.

(d) The provision of local logistic assistance would reduce the airlift and facilitate operations.

(e) If it is decided to form a Local Defence Force in the British Cameroons, the maximum assistance will be required from Nigeria to make the force ready for October, 1960.

507 CAB 129/100, C(60)25

12 Feb 1960

'Nigeria': Cabinet memorandum by Mr Macleod on the arrangements for Nigeria's independence

My predecessor told the Nigerian Constitutional Conference in October 1958 that, if a resolution was passed early in 1960 by a newly elected Federal Parliament asking for independence, Her Majesty's Government would agree to the request and would

introduce a Bill to enable Nigeria to become fully independent on 1st October, 1960. This statement was welcomed by the Nigerian Federal Prime Minister and the Regional Premiers, who expressed their desire that on independence Nigeria should become a full member of the Commonwealth and that there should continue to be close co-operation between Britain and Nigeria.

2. The Nigerian Federal Legislature was dissolved at the beginning of December and fresh elections to a new, enlarged House of Representatives took place on 12th December. The results were much as expected. The largest party, with 142 seats, was the Northern People's Congress (N.P.C.), the conservative Muslim party which is in effect restricted to the Northern Region. The next largest party, with 89 seats, was the National Council of Nigeria and the Cameroons (N.C.N.C.) and their allies, led by Dr. Azikiwe. The Action Group, led by Chief Awolowo, with 72 seats, came third. This result was preferable to an overall majority by any one party, since the only party which could have expected such a victory was the N.P.C. and one-party rule by the N.P.C. might well have reopened old divisions between the North and the South. The Federal Prime Minister, Alhaji Sir Abubakar Tafawa Balewa (N.P.C.) was reappointed Prime Minister and has formed a coalition Government of the N.P.C. and the N.C.N.C. The Action Group now form the official Federal Opposition.

3. On 16th January, the day after the Federal House of Representatives had heard an address from the Prime Minister of the United Kingdom, Nigeria's Federal Prime Minister proposed a motion as follows:—

'This House authorises the Government of the Federation of Nigeria to request Her Majesty's Government in the United Kingdom as soon as practicable to introduce legislation in the Parliament of the United Kingdom, providing for the establishment of the Federation of Nigeria on 1st October, 1960, as an independent sovereign State, and to request Her Majesty's Government in the United Kingdom at the appropriate time to support with the other Member Governments of the Commonwealth Nigeria's desire to become a member of the Commonwealth.'

The resolution was carried unanimously and with enthusiasm. It was concurred in unanimously by the Federal Senate on 25th January. The resolution has now been formally transmitted to me by the Governor-General, with the request of the Nigerian Federal Government that effect should now be given to it.

4. My predecessor's undertaking was unqualified and binding. There would in any case be no reason to hesitate before honouring it. The chances for internal stability in Nigeria and for the country to play a constructive role in world affairs are as good now as they are ever likely to be. As an African country, Nigeria may at times be critical of the United Kingdom's colonial and general foreign policies; nevertheless, firm bonds of friendship between Nigeria and ourselves have been forged and are to-day as strong as ever. We are not likely to have a firmer friend among our former colonial territories in Africa.

5. The British Cameroons will have to be separated from Nigeria pending United Nations decisions on its future.

6. The drafting of a defence agreement is at an advanced stage and it is about to be put to Nigerian Ministers. I do not expect that it will provoke any serious difficulty. I understand that the Prime Minister was impressed, when he was in Lagos in January, with the extent of Nigerian anxieties about the security of their borders

after independence, especially in view of the troubled situation in the Republic of Cameroun. The Defence Committee is to discuss the question of United Kingdom help to Nigeria in this field as part of the defence agreement.

7. I suggest that the Commonwealth Prime Ministers' Meeting in May might be told informally of the prospect of Nigerian independence on 1st October, and of the Nigerian Federal Government's wish (supported by all members of the Federal Legislature) to become a member of the Commonwealth. Nigeria's formal application for membership will have to await the Royal Assent to the Nigerian Independence Bill, probably in August or September this year.

8. I now seek my colleagues' approval for the proposal that I should send, on behalf of Her Majesty's Government, a reply to the Governor-General of Nigeria welcoming the resolution passed by the Federal House of Representatives, and saying that (i) Her Majesty's Government will be glad to introduce legislation at an appropriate date to enable the Federation of Nigeria to become fully independent on the 1st October, 1960; and (ii) the Nigerian desire for membership of the Commonwealth on independence will be communicated informally to the Commonwealth Prime Ministers' Meeting in May and a formal application will be transmitted to Commonwealth Governments on Nigeria's behalf after the Royal Assent has been given to the Nigerian Independence Act.

9. I should hope to introduce the necessary Bill after Whitsun. There will also be a large Order in Council setting out the constitution as agreed at the Conferences held in London in 1957 and 1958.¹

¹ This memorandum was approved at the Cabinet meeting of 18 Feb: 'Discussion showed that the Cabinet were in general agreement with these proposals. The point was made, however, that in connexion (sic) with the defence agreement which was about to be negotiated with Nigeria it should be made clear that the United Kingdom Government were not committed to give financial assistance for defence purposes after Nigeria had become independent' (CAB 128/34, CC 10(60)4).

508 CO 554/2533, no 4

19 Feb 1960

[Macmillan's visit to Nigeria]: despatch no 17 from Sir J Robertson to Mr Macleod on the impact of Mr Macmillan's visit

I wrote privately to you on the day of the departure of the Prime Minister and Lady Dorothy Macmillan from Nigeria to tell you briefly of the success of their visit to the Federation. Now that the Prime Minister has returned to the United Kingdom I think that you may wish to have my assessment of the impression made on Nigerians by the visit to Nigeria and also, in the wider sphere, of the reactions here to the African tour as a whole.

2. As I told you in my letter of the 18th of January, the Prime Minister and Lady Dorothy Macmillan received everywhere they went in Nigeria a warm and friendly welcome and the visit as a whole went extremely well. I think that it is true to say that the warmth of the welcome was genuine and spontaneous and, among those who take an interest in world affairs, stemmed from a feeling of admiration for one who has, as the Prime Minister of the Federation put it, 'broken the ice barrier' in his search for peace; among the vast mass of the population it was, I think, an expression of their gratitude and affection for the British connection.

3. Within a few months of the country's independence the political leaders of Nigeria were, I am sure, flattered and delighted to be included in a tour of full members of the Commonwealth (or in the case of the Federation of Rhodesia and Nyasaland, of a country which has by convention a seat at Commonwealth conferences). It was noteworthy that suggestions made in the United Kingdom (and raised by visiting United Kingdom press representatives) that the Prime Minister of the Federation should be invited to attend the forthcoming meeting of Commonwealth Prime Ministers in May found no echo in Nigeria. Nigerians are content to be entering into full membership of the Commonwealth in October and they have voiced no wish to 'jump the gun'. The Prime Minister, particularly by his speech to the Federal Parliament which was extremely well received, succeeded in defining for Nigerians both the values and the difficulties of the Commonwealth connection and in that respect the visit has created an admirable climate for Nigerian participation in Commonwealth affairs.

4. The continued unity of the Federation is, of course, essential for Nigeria's political and economic future, but it is not always so recognised by Nigerians themselves. I have no doubt that the manner in which the need for unity was stressed by the Prime Minister has had a beneficial effect.

5. In his discussions with Ministers both in Lagos and in the Regions, the Prime Minister was informed constantly of the need of the Governments in Nigeria to continue to rely for many years on outside assistance for manpower, advice and finance. I think also that it was made clear to him that there was a genuine desire that these forms of assistance should be forthcoming from the United Kingdom and, by implication, that a general desire existed to retain thereby the closest ties with Great Britain. The Prime Minister gave clear indications of Great Britain's willingness to give what assistance lay in her power and I am sure that as a result of their discussions with him Nigerian Ministers will be expecting help on a generous scale. Especially will they look for a continuation in some form or other (and preferably in a form which financially is of no less value) of the assistance which has hitherto come from the Colonial Development and Welfare Act and from the operations of the Colonial Development Corporation.

6. With regard to reactions within Nigeria to the African tour as a whole, there was I think disappointment that the visit to Central Africa was not marked by some such vivid gesture as the release of Dr. Banda from detention and, generally speaking, the Central African part of the visit did not get a good press in Nigeria. But all this was forgotten in the enthusiasm aroused by the Prime Minister's speech in Cape Town.¹ Here at last was the categorical denunciation of 'apartheid' for which African nationalists had been waiting and here too was the outspoken recognition that the nationalism sweeping Africa today is a fact of life which can neither be ignored nor resisted. But in Nigerian eyes the Cape Town speech will not of itself suffice; they will not easily accept in the United Nations a United Kingdom vote which disassociates itself from a condemnation of those policies which the Prime Minister made clear were contrary to what Great Britain stands for. While Nigeria

¹ On 3 Feb Macmillan gave the so-called 'wind of change' speech to the South African parliament in Cape Town, during which he firmly stressed that the UK could not support the South African government's policy of apartheid and referred to 'the strength of . . . African national consciousness' he had noted during his journey; 'the wind of change is blowing through the continent'.

will be eager to resist interference in her own affairs she will not hesitate to support interference in the internal affairs of other countries, Commonwealth or non-Commonwealth, where racial prejudice is concerned.

7. I am sending copies of this despatch to the Regional Governors for their information.

509 DO 35/10489, no 1

19 Feb 1960

[Nigerian foreign policy]: letter from Sir J Robertson to Sir H Poynton on Alhaji Sir Abubakar Tafawa Balewa's request for foreign policy intelligence after independence. *Minute* by B J Greenhill (CRO)

In several recent talks with me Abubakar has expressed some concern that, after Independence, it may no longer be possible for him to have access to the information about developments in West Africa which I am able to let him see, from time to time, on a personal and confidential basis, in selected reports from Foreign office posts in West Africa. He is, of course, aware that he will get some information through the normal process of Commonwealth consultation, after Independence; and also that ultimately he must rely on building up effective Nigerian representation as soon as possible, in the countries which are of particular interest to him. But I think that, quite rightly, he realises that these normal arrangements may leave a considerable gap in his detailed knowledge of what is happening in surrounding territories in the few years immediately after Independence; and I should like to propose that you might consider with the C.R.O. how far special arrangements may be made to continue to keep him informed of external developments of particular interest to Nigeria, and thus retain his confidence and cooperation.

What seems to me to be required is the passing of the maximum amount of information to the future External Affairs Ministry through the future United Kingdom High Commissioner and his staff; and also a special effort by H.M. representatives in the various posts in which Nigeria establishes a mission to help Nigeria's representatives to produce sound and balanced reports. But something more than this will also be necessary. I feel that it should be accepted, from the start, that the future U.K. High Commissioner should have authority to show Abubakar, on the same discretionary and personal basis as I do now, reports of interest which emanate from U.K. representatives in neighbouring foreign countries. I am sure that this process will pay excellent dividends. Not only will it help us to retain the Prime Minister's confidence, but I feel sure that in due course he will be able to reciprocate by letting the High Commissioner have information of value from the private sources which the Prime Minister has himself.

There remains, of course, the major dilemma that the neighbouring country about which Abubakar is most interested in obtaining information is Ghana. The S.L.O. and Finland have both told Abubakar that it is a principle of relations within the Commonwealth that the U.K. does not pass on to another Commonwealth country the information she obtains through her relationship with a third member country. We must therefore avoid giving Abubakar any reason to believe that we shall be willing to break this principle and disclose to him information which has come to us through our own channels about Ghana; but we may have difficulties on this score if

Nkrumah continues to act, as Abubakar firmly believes he does, in a manner intended to reduce Nigeria's influence, and eventually to break up the Federation.

I have told Abubakar to see that his Commissioner in Ghana sends him regular reports, compiled from Press, personal contacts and information reaching him and his staff from all sources; but such reports may well be of very moderate value to start with.

Minute in 509

Mr. Costley-White

Mr. Belcher

Mr. D.W.S. Hunt

Mr. Chadwick

You have not yet seen the letter from Sir Hilton Poynton to Sir Alexander Clutterbuck of the 4th March at (1) on this file, enclosing a copy of a letter from the Governor-General, Nigeria about the supply of information on external affairs to Nigeria after Independence. The separate issue referred to in the second paragraph—of the supply of information on international affairs to Nigeria before Independence—we have been discussing, as you know, on NIG.97/1.¹

2. The Governor-General raises two separate points.

(i) The Governor-General seems to suggest in effect that after Independence more information should be passed to the future External Affairs Ministry of Nigeria through the United Kingdom High Commission than is passed to other 'new' Commonwealth countries. I had a word with Mr. Burr of West African Department of the Colonial Office on this, and as they see it we should give consideration to treating Nigeria as an 'old' Commonwealth country in this respect. The Governor-General also suggests that H.M. representatives, and no doubt also U.K. High Commissioners, in the various countries in which Nigeria establishes missions should help them as much as possible.

In view of the great importance among the independent States of Africa which Nigeria will undoubtedly assume on Independence, and in view of the fact that whatever doubts there may be—and the Colonial Office seem to have few doubts—there seems to be every chance that, at least at first, Nigeria will be generally friendly to the West, and in particular to the U.K., we should clearly serve our own purposes by going as far as we can along the lines suggested by the Governor-General. The main immediate considerations would perhaps be those of physical security, I understand that the security record in Nigerian Government

¹ The issue of the supply of intelligence to the Nigerian government before and after independence took on major importance in this period. As was minuted by R H Belcher on 26 Feb 1960, 'Provided that Nigeria does not break up after independence, it is clear that she is going to be of great importance among the independent States of Africa, and whatever doubts there may be there seems to be a good chance that she will be relatively moderate in international affairs and generally friendly to the West, in particular to the United Kingdom. One way to encourage this and at the same (sic) to extract maximum possible future benefit from it is to ensure that the pre-independence briefing of Nigerian ministers and senior officials on international affairs is based, so far as is possible, on information supplied by us . . .', (DO 35/10488, no 2, 26 Feb 1960, minute by R H Belcher).

Departments has been excellent to date, but this will, of course, not necessarily continue after Independence, and moreover we may expect that a more determined attempt will then be made by the Soviet Union to penetrate the Nigerian Government machine.

But in the long term it seems to me that there may be other grave difficulties if we adopt a policy of greater generosity on the supply of information on foreign affairs to the Nigerian External Affairs Ministry than we have been doing to other 'new' Commonwealth Governments. It might be that we should be all right for quite a long time, but it does not seem by any means impossible that there will be changes in the Government of Nigeria at the next election, if not before. Despite the optimism about the future of Nigeria which has been expressed, there seems perhaps not much reason to believe that Nigerian Ministers will necessarily behave very differently from Ghanaian ones, once the heady wine of independence has begun to do its work—indeed, there are indications that some of them already are showing tendencies of this kind. We might find ourselves in a position in which we had to consider reducing the supply of material, and this might be very difficult if we had established good relations with permanent officials who would be fully aware of what was going on.

Even in the short run there would be a serious danger of Ghana finding out rapidly that Nigeria was being treated differently in this regard. Indeed, it is difficult to say how we could avoid an ebullient Nigerian Minister at, say, the General Assembly, or some other international meeting, making it quite clear that he was aware of material of which the Ghanaians were not, and the fact of a two-tier Commonwealth would then become apparent to the whole world, and those like Mr. Nehru, who must already be aware of it, might not any longer be able to avoid reference to it.

We might, of course, go some way to meeting this difficulty by devising a system by which material was perhaps shown on a more selective basis to the Nigerians than to the old Commonwealth countries, and in this way introduce a third standard. But the dangers would still be there.

(ii) The Governor-General makes a second and quite distinct suggestion which perhaps goes beyond what has been regularly done before in any new Commonwealth country. It appears that he has been showing on an entirely personal and secret basis, selectively and where appropriate, some of the reports, copies of which he receives from Foreign Office posts in West Africa. The Governor-General proposes that it should be accepted from the start that the U.K. High Commissioner should have authority to continue to show this sort of material to Sir Abubakar on a discretionary and personal basis, but that it will, of course, have to be clearly understood that this arrangement cannot apply to reports from Ghana. Relevant to this issue is the question of whether Abubakar himself will remain immediately responsible for foreign affairs after Independence. This is raised in a letter from Mr. Eastwood to Mr. Hunt temporarily attached to the file.

3. I am myself inclined to think that we should perhaps get most benefit with least danger from the Governor-General's second suggestion. The showing of material on a personal basis to Sir Abubakar, perhaps even over and beyond the material on West Africa which has so far been shown to him, might continue to be

very beneficial, even though Sir Abubakar himself might relinquish the portfolio of External Affairs. And the system could be stopped as soon as it became politically necessary to do so, without the dangers referred to in my paragraph 2 (i) above. And, of course, there might be much benefit and little danger in the establishment of close relations between H.M. representatives and High Commissioners and Nigerian missions where they are established, and it might well be that through Sir Abubakar we can make sure that Nigerian missions are told to reciprocate.

4. You may feel that the most appropriate next action would be for Sir H. Lintott to discuss this question with Sir James Robertson during his forthcoming visit to Nigeria. He might feel inclined informally to take the Governor-General's views on the possible difficulties I have mentioned above, and also to discuss how much and what kind of material it has been his habit to show to Sir Abubakar personally.

5. If you agree, the Permanent Under-Secretary may care, in his reply to Sir Hilton Poynton, to ask the latter's agreement to this procedure, subject, of course, to Foreign Office comments, which we await. The Colonial Office will then have time to warn the Governor-General if they agree to this procedure. I therefore append a brief interim draft reply on these lines.²

B.J.G.
8.3.60

² Following further consideration in London, by the middle of 1960 it had been agreed by the CO, DO and FO that intelligence data, including material on Ghana, a fellow Commonwealth country, should be forwarded to the post-independence Nigerian government, with certain safeguards to protect sources (DO 35/10489, minute by Greenhill, 4 July 1960).

510 PREM 11/3048

29 Feb 1960

'Economic aid to the Federation of Nigeria after independence': joint memorandum by the CRO, CO and Treasury for Mr Macmillan

Present channels and scale of aid

1. As a dependent territory the Federation of Nigeria has benefited from the following forms of aid for economic development:

- (i) Colonial Development and Welfare (C.D & W) assistance (almost entirely in the form of grants);
- (ii) Exchequer loans;
- (iii) Investment through the Colonial Development Corporation (C.D.C);
- (iv) The use of the Colonial Office and Crown Agents machinery for recruiting expatriate and professional staffs for the Public Service cadres and other posts, and consultant advice.

2. The capital expenditure programmes of the various Nigerian Governments in the seven year period 1955/62 provide for a total estimated expenditure in the public sector of some £330m. Of this, some £276m. is expected to come from Nigeria's own resources, and the balance £54m. from various external resources. Of these external resources, C.D & W. funds will have contributed about £17m., and we have agreed to provide a further £15m. in the form of loans from the U.K. Exchequer (£3m. as a Colonial Exchequer loan up to the date of independence, and £12m. as a

Commonwealth Assistance loan after independence).¹ The International Bank have already lent £10m. It is expected that the balance of the external loan requirement will come from France, the United States, and various forms of 'contractor-finance'.

3. Until fairly recently the C.D.C. have devoted relatively little attention to Nigeria, after one or two failures there in their earlier days. Up to the end of 1959 the Corporation had committed about £5m. in Nigeria. Recently they have been anxious to increase their investments in Nigeria, in order to acquire a larger stake in that country prior to independence. After examining the schemes which the Corporation have been working on we have told them that we think seven schemes would qualify under the terms of the Act, at a cost of some £4m.—£4½m. This would bring the total C.D.C. commitment in Nigeria up to some £9m. by the date of independence; at least half of this sum however would not be spent until after independence. C.D.C. investment will thus remain pretty marginal in relation to the present scale of economic development afoot in Nigeria.

Channels of assistance after independence

4. We envisage that after independence Commonwealth Assistance loans will be the principal channel of our Government-to-Government assistance to Nigeria for economic development. They will in effect correspond to the Exchequer loans we are now providing to the Colonial territories under the current C.D. & W. Act.

5. We have also proposed to the Nigerian Governments that a bilateral U.K.—Nigeria Technical Assistance Agreement should be negotiated before independence, to come into operation on independence, The Nigerian Governments have welcomed this proposal, and details are now being worked out. The arrangements are expected to cover a wide field in the provision of experts and training staff, the training of Nigerians in this country, the provision of special equipment, and of the services of expert consultants.

6. The C.D.C. contribution to Nigeria's economic development has, as stated above, been marginal in the pre-independence period. It will however continue to be made for at least a number of years after independence, since, although the C.D.C. will not be permitted to embark on *new* schemes after independence, there will be about £5 million from schemes approved before independence which the C.D.C. will still have to spend in Nigeria after independence in order to complete their projects.

7. The C.D.C.'s contribution has been primarily in the field of agricultural and industrial development. We do not believe that the fact that the C.D.C. will not be able to embark on fresh projects will leave any appreciable gap. External private capital has been running recently at a little less than £20m. per annum (net). While a large part of this is investment by the oil companies (which is likely to increase rather than fall off), there is no reason to suppose that the coming of independence will affect the inflow of private investment. (As regards rubber plantations, which Dr. Okpara raised specifically with the Prime Minister, there has in recent years been appreciable development of new plantations in Nigeria by Dunlop Rubber and a group of U.K. firms, including the United Africa Company, operating through the West African Joint Agency Limited. As the C.D.C.'s record in plantations is not an encouraging one, even had there been no difficulty over the imminence of independence, we would have refused to allow the C.D.C. to undertake a large

¹ See 485.

plantation commitment in Nigeria, unless it had been able to secure substantial risk capital from suitable private enterprise, which it has not been able to do).

8. Further, the Commonwealth Development Finance Company (C.D.F.C) are showing a keen interest in Nigeria. Representatives of that Company have visited the territory several times (including a visit last autumn by Lord Godber, the Chairman), and are already providing industrial advisory services to several of the Nigerian Governments. The C.D.F.C. have just decided to lend about £1m. to Dunlops to enable them to double their existing plantations near Calabar, in the Eastern Region. As a measure to encourage new private capital to invest in industrial development in Nigeria the C.D.F.C. have recently taken the lead in establishing an organisation in Lagos known as the Investment Company of Nigeria, Limited (ICON). Its authorised capital is £5m., of which £1 m. has been issued. The C.D.F.C. and C.D.C. have both contributed, together with between 70 and 80 banks, insurance companies and business houses. ICON started business on the 1st Dec 1959.

511 CO 554/2392, no 3

29 Feb 1960

[Political situation]: despatch no 8 from Sir J Rankine to Mr Macleod
on AG reactions to the federal election results

[Extract]

. . . Action Group confidence and disappointment in the result of the federal election

12. The Action Group leaders have often displayed an extraordinary capacity for wishful thinking and self-deception. Their confidence in the outcome continued to grow up to the last minute. At first they hoped to emerge as the largest single party and were confident that after a short time in opposition they would be able to break up any coalition and come to power on their own terms. Later, they convinced themselves that they might even gain a clear majority. The results came therefore as a bitter blow. At first they seemed scarcely able to credit them and the party Press, for once, was strangely silent. But the greatest shock of all must have been the results in the Western Region, where they gained only 49 per cent of the poll and out of a total of nearly 2 million votes less than 100,000 more than their opponents. Even in the Yoruba homeland they lost seats in Ibadan, Badagry, Ife, Ilesha, Iwo, Egba and Oyo. With the exception of one gained through a split vote they lost all the Ibadan seats and in spite of all the promises of new States the Mid-west went solidly against them with the exception of Ishan, whose support is personal for Enahoro rather than for the party, and one other seat. This must give the party food for thought for some time. It had been rumoured that following the intensive campaign the party contemplated an early Regional general election, but the results have effectively disposed of that.

Reasons for their failure

13. In his campaign tours Awolowo was so lavish with promises, and the Action Group is so much ahead of its opponents in organisation and administrative ability, that one naturally seeks an explanation for this poor showing. First and foremost it would seem to lie in the party's overbearing arrogance and lack of consideration for others. In the West one has long suspected that the ruthless exploitation of every power at the disposal of Government to party advantage must in the long run

alienate rather than compel support, but I have hesitated to express such an opinion in the belief that they must know their own people and what they are doing. However, it would appear that there is still truth in the maxim about taking a horse to water; areas willing to declare for the Action Group in order to secure needed amenities may not necessarily vote for them in a general election. The comment of the Bishop of Ibadan that the Action Group were 'too wicked and vindictive' is to the point. At least the results are a tribute to the secrecy of the ballot, for many would not have dared vote against the Action Group if they thought there was any danger of its becoming known. In the North it must be difficult enough in present circumstances to break through the traditional loyalty to established leaders and Emirs. Perhaps the Action Group policies and tactics were 10 years ahead of their time. In any case the results indicate that high-powered American publicity stunts do not pay. Above all, in spite of its sedulous cultivation of all dissident elements, the Action Group would seem to have failed to associate itself with the Northern people and appear as anything other than the Southern party of the Yoruba. Lastly, it may be that Awolowo's promises of the earth, new States and 'life more abundant for all', were altogether too extravagant and defeated themselves. Even the simple peasants may have realised that they would not or could not be fulfilled, and many began to ask where all the money for helicopters, &c., was coming from. Was it their money which was being spent so lavishly?

There is reason to believe that from the many post mortems held into its defeat the Action Group has drawn the conclusion (amongst others) that it was partly due to the hostility of the local government police forces in the North (for which there would appear to be some justification) and that if it is not to be at a disadvantage in this respect, the forces in the Region must be greatly expanded and brought under the control of the Government. Such a development would not be conducive to a democratic way of life and in any case would be contrary to the spirit, if not the letter, of the agreement recorded in paragraph 17 of the 1958 Constitutional Conference*. It seems probable, however, that it will first raise the question at the next meeting of the Police Council, and whether it goes ahead with its proposal will depend on the action taken regarding the forces in the North.

New regional government

14. Awolowo's election to the House of Representatives made it necessary to appoint a new Premier and on his advice a new Cabinet. The choice presented little difficulty. The party had already selected Akintola, Deputy Leader and until recently Federal Minister of Communications and Civil Aviation, as his successor, and a seat had been found for him in the House of Assembly through a by-election. The new Cabinet is the same as before with one or two exceptions and additions. Rotimi Williams, Attorney-General and Minister of Justice, had made up his mind some time before to leave active politics. In his place I have appointed S. O. Ighodaro who was Minister of Health from 1952 to 1956 when he lost his seat at the last Regional general election. Enahoro, like Awolowo, has gone to the centre, being replaced by J.E. Babatola, late Parliamentary Secretary in the Ministry of Local Government. The old portfolio of Home and Mid-west Affairs has been split, Mid-west Affairs going to Ighodaro who comes from Benin. Two additional Ministers have been appointed, the

* Published as Cmnd. 569.

Olubadan becomes Minister without Portfolio, and Fadayiro, lately Chief Whip, a Minister assisting the Minister of Justice. The volume of business hardly justifies two more Ministers; they have been appointed as rewards for past services and party support.

15. The departure of Awolowo, Rotimi Williams and Enahoro will be a severe loss, depriving the Executive Council at one blow of its three outstanding Ministers. Apart from Akintola himself, and possibly Odebiyi, Minister of Finance, it now consists of mediocrities. Ighodaro, a pleasant reasonable man, one hopes, may make a fair Attorney-General in both senses of the word. But a natural weakness will not be helped by the fact that he was defeated at the polls and only becomes a member of the Legislature by virtue of the special provision in the Constitution which allows one not already a member of the House to be appointed Attorney-General. Babatola, undistinguished in the not very exacting role of a Parliamentary Secretary, takes charge of one of the busiest and most important Ministries, whose responsibility includes television, 'law and order', and local government police. He will have to display as yet undisclosed ability and force of character adequately to discharge these responsibilities. It will be interesting to see how Akintola manages his new team. In Odebiyi he will have a very ambitious colleague, and resident in Ibadan breathing down his neck will be the three strongest characters of the last Government. In the past the most important decisions of the Government tended to be taken outside Executive Council at party headquarters, and there are signs that Awolowo, the party leader, will continue to control the Government. On the other hand, this may be Akintola's opportunity to make the Executive Council, as it should be, the main organ of the Government. He has a powerful weapon to hand in that he now controls the not inconsiderable Government patronage.

16. In any case Awolowo's hand on the tiller is bound to be missed. A curious contrast, outstanding in administrative ability and responsibility, with considerable charm when he wishes to exercise it, yet he seems to lack the personal magnetism and some of the human qualities required to make a great statesman. As Leader of the Opposition, he is bound to prove an active and penetrating critic of the Government but he is a dull speaker and his didactic style may not make him popular. Rotimi Williams' elephantine figure and clear grasp of the problems will also be missed. Having set out to rival Birkenhead in his reforms of the law and its institutions, he has certainly left his mark on the Region. But he was first and foremost an unscrupulous politician rather than a jurist, and his otherwise admirable consolidation of the law and reform of the Customary Courts have been spoilt by extreme partiality in their administration. It is difficult to believe that so ambitious a man will be content for long to practice privately at the Bar. It is more likely that, disappointed at not securing the succession to the Premiership, he has been promised either the Governorship or the Federal Chief Justiceship (should Ademola receive preferment), and has withdrawn temporarily to strengthen his candidature. Enahoro came to us with a reputation for extremism and irresponsibility, but he has mellowed and matured during five years in office. A careerist rather than a man with a mission, it is difficult to assess his motives in giving up a well-paid Ministry when none knew better how slim were his chances of a Federal portfolio. On the other hand, coming from the Mid-west, he cannot have much in common with the other Action Group leaders, and may well think that better chances for the future are to be found in the House of Representatives. It has

been rumoured and denied that he was on the point of leaving the party. Like most Nigerian politicians he would have little scruple in changing sides if he thought it would pay him. If that should happen it would be a serious blow to the Action Group, for he is the only party politician of substance who has any support in the Mid-west.

The effects of the election on the Action Group and the future of Nigeria

17. The Action Group has suffered a very severe setback both to its hopes of gaining power at the centre and to its hold on the Region. What will be the effect of this on the party and on the future of Nigeria? A few years ago it might well have induced it to turn back on itself, cut its losses and consolidate in the Yoruba heartland where its main support lies, correspondingly reducing its co-operation with the Federation, if not encouraging ideas of secession. But three important things which have happened in the past few years make a vast difference. In the first place, Awolowo, the party leader, who made the party and has been built up as the Messiah, is now in the House of Representatives and his successor installed as Premier of the West. Even if he had second thoughts he could hardly return now to the West without great loss of face. Secondly, although so gravely disappointed, the Action Group has nevertheless emerged as the only really national party, *i.e.*, with a footing in each of the other Regions (34 seats in the West, 25 seats in the North, 14 seats in the East and 1 in Lagos). Their hopes of gaining power at the centre are by no means dead. The Federal Government is clearly not a very stable one, and Awolowo is supremely confident that by active opposition—and it will be extremely active, cleverly directed towards exploiting all the inherent differences and jealousies of the coalition—he can break it up and come to power on his own terms, which would not have been the case if he had entered a coalition at the outset. Thirdly, it was perhaps inevitable when a unitary Government was broken up into a loose Federation that there should have been growing pains. The Federal Government no doubt thought the Regions were anxious to destroy the unity of Nigeria; the Regions suspected that the Federal Government was reluctant to allow them to exercise to the full the powers and functions allocated to them under the Constitution. But over five years have elapsed since the 1954 Constitution was introduced, during which the respective powers and functions of the several Governments have been sorted out and a reasonable working arrangement reached. I believe that the responsible leaders have always subscribed to the unity of Nigeria and recognised the advantage of the Federation. There remain a few questions, such as an extension of the boundaries of Lagos at the expense of the Region, which are emotional dynamite to them and which if raised again might well change their attitude. But if these are now allowed to die a natural death and if the Regional Government is allowed to the full the autonomy in matters within its responsibility provided in the Constitution, there is no reason to suppose that it will not co-operate fully with the Federal Government.

18. In addition to the disappointment to its hopes of obtaining power at the centre, the party has suffered a severe setback in its hold on the Region. It is difficult, especially with a new and as yet untried Premier, to predict what the effect will be, but it could be for the good. As I have so frequently reported, in ability and responsibility the Action Group leaders are far ahead of their rivals. The party includes nearly all the Chiefs, the educated and professional classes, senior civil servants and Nigerian business men. Many of its policies are liberal and progressive, well conceived and executed. The Ministers have tremendous drive. Its main defects

have been its utter ruthlessness and lack of consideration for others. It has been so convinced of its own superiority, of its divine right to rule, that the end has justified the means. It genuinely believes that the greatest disaster that could possibly befall the country would be for the N.C.N.C. to come into power. Therefore every device, including the unscrupulous use of every power at the disposal of the Government, has been employed to party advantage, to strengthen the party and avoid that disaster. It is possible that the leaders may have learnt the lesson that the people cannot be dragooned, that it does not pay to change the political complexion of a local government authority merely by injecting the requisite number of Action Group traditional members, that the neglect of areas which have voted for the Opposition does not convert them but merely hardens them in their opposition to the Government. It may be that the Action Group have learnt, or begun to learn, that in the long run the best way of obtaining votes is good government and fair treatment. If so, then the prospects of good and liberal government in the future are the brighter, but it has to be admitted that there is a great deal to be learnt. . . .

512 CO 968/711, no 73

1 Mar 1960

[Defence agreement]: letter from Sir J Robertson to C G Eastwood on the growing opposition to the defence agreement in Nigeria [Extract]

[By early 1960 it was becoming clear that the proposed defence agreement was deeply unpopular among the Nigerian public. French atomic tests in the Sahara in Feb compounded this (518). By April the CRO was urging the CO not to submit the proposed agreement to the Federal legislature until after independence, in order to avoid charges of forcing Nigeria to accept it as a condition of independence (DO 35/10441, minute by B J Greenhill, 25 April 1960). As this document shows, the proposed agreement caused serious political problems for Nigerian leaders.]

When the Governors were in here last weekend, among the various subjects mentioned was the proposed Defence Agreement between H.M.G. and the independent Nigeria.

We all think that this is not going to be nearly such an easy matter this year as it was in 1958, and although I feel sure that Abu Bakar and the Sardauna would wish to stick to their word, I am not so sure that the N.C.N.C. and Action Group will wish to do so. Bell thinks the Sardauna will probably not attend the talks, and will find an excuse in the Pilgrimage and a visit to the U.S.A. Azikiwe, too, may absent himself in order to keep himself uncommitted in this and other matters.

You may have noticed that various lesser political lights have recently been emphasizing the need for neutrality and not getting tied up in Defence agreements—a recent speaker on these lines was Aminu Kano of N.E.P.U., and Zikist Vanguard speakers, too, have uttered in a similar vein. There have also been newspaper articles. Bell says that the Emir of Kano has voiced fears that an atom bomb might be dropped on the Kano Airport if Nigeria was helping the U.K. in a global war.

We have nothing concrete to go on from our Ministers, but we think there may easily be difficulties and I should again press that the draft Agreement should be as simple and uncontroversial as possible, or it may easily be made an excuse by the Nigerian Ministers for trying to back out of the whole idea. Abu Bakar's unwillingness to help on defence in the Southern Cameroons during the interim period is a pointer to the difficulties he now forsees. . . .

513 CO 554/2555, no 15

3 Mar 1960

[Technical assistance]: despatch no 441 from Mr Macleod to Sir J Robertson on proposals for a technical assistance scheme [Extract]

I have the honour to address you on the subject of the proposed arrangements between the United Kingdom and the Nigerian Governments for the provision of technical assistance to Nigeria after Independence.

2. Mr. Lennox-Boyd discussed this subject with representatives of the Nigerian Governments in Lagos last May.¹ It was then agreed that, after full consultation between the Federal and Regional Governments, the Federal Government should submit particulars of the types of assistance which each Government would wish to receive from the United Kingdom. I hope that it will be possible for this information to reach me in the near future as it will enable Her Majesty's Government to assess the nature of the technical assistance to be provided and the extent to which financial provision should be included in the Estimates of the Commonwealth Relations Office. It would be appreciated if, in forwarding the information, the Federal Government would bear in mind the principles outlined later in this despatch regarding the types of technical assistance for which provision would appropriately be made at the expense of the United Kingdom Government.

3. In addition, it is suggested that particular proposals for technical assistance needed by the Federal and Regional Governments should be forwarded for consideration individually as they emerge and as early as possible and that it is not necessary to await the compilation of comprehensive lists or the date of Nigeria's independence. In this way the principles and procedures can, subject to the general limitations set out in later paragraphs of this despatch, be determined in the light of Nigeria's particular requirements. Since, too, the recruitment of experts and arrangements for training courses take time, it would be helpful for Her Majesty's Government to know as soon as possible what Nigeria's requirements in these fields may be, especially insofar as experts may be required to be in position or training places available from next October.

Nature of the technical assistance to be provided

4. It is intended that the technical assistance to be provided should be as comprehensive as possible. It will normally fall under one or other of the three following headings:—

- (i) Experts, advisory missions and consultancy services;
- (ii) Training facilities for Nigerians in the United Kingdom, and
- (iii) Equipment and books in connection with technical training or applied research in Nigeria.

In the following paragraphs some considerations with regard to each of these three categories of technical assistance are set out for your information and guidance.

Experts, advisory missions and consultancy services

5. Her Majesty's Government will be ready to consider the provision of technical experts in almost any field of civil activity. It is not intended that the arrangements

¹ See 478.

should replace the normal methods of recruitment and maintenance of overseas staff in the normal departmental structure. Nonetheless, if special considerations arise in which the filling of cadre posts, i.e., posts on the permanent establishments of any of the Nigerian Public Services, is considered necessary, such requests will be sympathetically considered in consultation with the Nigerian authorities. In such cases it would be expected that the officer appointed to fill the post would, within a limited period, be able to train a Nigerian successor.

6. Her Majesty's Government would be responsible for the full cost of an expert's emoluments and passages for himself to and from Nigeria and if the visit were of suitable duration, for his family also. The Nigerian Government concerned would be expected to meet the cost of the expert's travelling expenses on duty in Nigeria and would reimburse the United Kingdom Government the amount payable for subsistence allowance, at the prevailing Nigerian rates, in respect of any period when he was absent from his base on duty. In addition, the Nigerian Government would be expected to make a contribution, at a daily rate to be decided later, towards overall costs in respect of each expert. The contribution would be somewhat similar to that paid to United Nations and other International Agencies for experts supplied by them. In respect of an officer filling a cadre post, however, the United Kingdom Government would wish to give special consideration to the financial arrangements having regard to the fact that the Nigerian Government concerned would presumably have provided for the emoluments of the holder of the post in its own budget. The United Kingdom Government would expect that suitable furnished accommodation, whether in Government quarters or outside, would be provided by the Nigerian authorities.

7. The United Kingdom Government are also prepared to consider the provision of consultancy services by United Kingdom firms or organisations, for the purpose of providing reports at the exploratory stage of any project. Each project would necessarily be considered on its merits and Her Majesty's Government would normally expect the Nigerian Government to pay a proportion of the costs to be determined in the light of the circumstances. Examples of such consultancy services which have been approved under technical assistance arrangements for other countries include aerial surveys for mapping, mineralogical and other purposes, advice on the establishment of particular industries, and advice on the development of towns, ports and harbours.

8. Where neither an individual expert nor a firm of consultants appears to be appropriate to the requirement, it might be practicable for the United Kingdom Government to provide an advisory mission. The sort of undertaking that an advisory mission could investigate would be the establishment of higher education institutions or training facilities, the development of road and rail transport and similar matters with a wide economic significance.

9. In this connection I would mention that I am anxious that nothing in this despatch should in any way disturb the present contacts which exist between Ministers and other authorities in Nigeria and the various authorities, including research councils and other scientific and research organisations in this country, through which the United Kingdom's assistance has been made possible in the past. Indeed, it would be consistent with the purpose of the arrangements discussed in this despatch that these contacts should be maintained and strengthened. I suggest that when you inform Nigerian authorities and institutions of the scheme it would be

desirable to bring this point to their attention in order to facilitate the formulation of specific requests which would subsequently come forward formally on an inter-Government basis.

The provision of training facilities for Nigerians in the United Kingdom

10. So far as training facilities for Nigerians in the United Kingdom are concerned, it is intended that training facilities should not form part of the general education of the trainee but should be an extension of his specialist training after he has obtained his basic training elsewhere. The intention would also be to favour the provision of training facilities where the persons benefitting therefrom will be able to pass on the expertise so acquired to others on their return to their own country.

11. It would be the intention, in respect of Nigerians trained under the proposed technical assistance arrangements, to meet the cost of the trainee's passages to and from the United Kingdom, the fees etc. in respect of the courses he takes, and subsistence allowances adequate to maintain a reasonable standard of living for the trainee while resident as a student in this country. It has not been the practice for the United Kingdom Government to meet the cost of a married trainee bringing his wife with him to the United Kingdom.

12. In considering the extent to which they will need to use training facilities in the United Kingdom immediately after Independence, the Nigerian Governments may wish to ensure continuity where training may extend over the date of independence. It would be helpful if you could let me know:—

(a) whether there are any Nigerian trainees in the United Kingdom, financed either by the Nigerian Governments or from Colonial Development and Welfare funds, including members of the Public Service, whose training should continue after the 1st October, 1960, and in respect of whom technical assistance finance might thereafter be appropriate, and

(b) whether there are any courses beginning in the next United Kingdom academic year in respect of which the Nigerian Governments may desire Nigerian candidates to be sponsored and financed under the proposed technical assistance arrangements.

Equipment

13. It is the intention that equipment provided under the proposed technical assistance arrangements should be such as is required for training purposes or for applied research. It is not possible to provide under technical assistance arrangements (as opposed to any development financial arrangements that may be made separately) for the provision of equipment of a capital nature which is not connected with training needs or applied research, and it is not intended that more than a limited proportion of United Kingdom technical assistance should be devoted to the purchase of equipment. Proposals for the provision of equipment will be looked at more favourably if they form part of combined schemes involving the provision of experts and/or training facilities. Before agreeing to any proposals for the provision of equipment the Commonwealth Relations Office would require the proposals to be investigated by its own scientific experts. Equipment provided under the scheme would be ordered by the Commonwealth Relations Office through the Crown Agents for Oversea Governments and Administrations and shipped by them. It

is not intended that capital finance and items of capital expenditure, such as the cost of erecting buildings or block grants in aid of specific projects, will be provided as part of the proposed technical assistance arrangements. Any books provided under the scheme would be technical books and normally only for reference purposes in, e.g., the libraries of Government organisations and educational and training establishments.

Channels of communication

14. The procedure for the submission of applications in Nigeria will be a matter for the Nigerian Governments to determine, and I should be glad to know what arrangements are proposed to provide co-ordination and avoid duplication. So far as the United Kingdom Government is concerned the Commonwealth Relations Office will, after independence, be the Department responsible for the arrangements, and the channel for the submission of applications which would be most convenient for them would be through the offices of the United Kingdom High Commissioner to be established in Nigeria. Before the date of independence correspondence regarding technical assistance should normally be addressed to me, particularly in respect of cases where assistance is currently being provided and will be required to continue after the date of Independence. While there is the closest co-operation between the Commonwealth Relations Office and the Colonial Office, it would also be helpful if you could furnish your Adviser on Commonwealth and External Affairs with two copies of all communications to me concerning matters which may fall within the proposed technical assistance arrangements. If the Federal Government so wished, I would not object to any applications relating solely to the post-independence period being sent to the Commonwealth Relations Office through your Adviser on Commonwealth and External Affairs, with a copy to me. . . .

514 PREM 11/3047

24 Mar 1960

[Defence agreement]: outward telegram no 248 from Mr Macmillan to Alhaji Sir Abubakar Tafawa Balewa on the defence of Nigeria after independence

Since I discussed with you in Lagos in January the question of the defence of the Federation of Nigeria after independence, I have been giving further thought, in consultation with my colleagues, to the problems posed and to the ways in which the United Kingdom might be able to help Nigeria.¹

When we spoke, I said that it seemed to me that there were two problems—in the first place military assistance if necessary in the event of troubles, and in the second place the question of help with your forces in such matters as training, supply of arms, etc. Having now had an opportunity to look into the matter in more detail in consultation with my colleagues and our expert advisers, I am still convinced that these are the main matters for which provision should be made.

On the question of military assistance in the event of troubles, the United Kingdom Chiefs of Staff have recently carried out a study in which they have tried to

¹ See 501 and 502.

examine and assess the external threat to Nigeria from your neighbours. In their view the most likely trouble spot at present is on your border with Cameroun; but even there, as far as can be foreseen at present, no threat seems likely to develop with which your own security forces could not deal. Of course, during the period of British administration the responsibility will be primarily ours. However, circumstances change; and I am advised that, as there are uncertainties about the future stability of your neighbours, it would certainly be wise to be ready to deal with other threats should they arise. It is here, I think, that we can be of some help to you. If a threat did develop, we should, of course, be very willing to help you to deal with it, if you so requested. Indeed, if you thought that this would be of assistance, we should be very willing to maintain always in existence plans for flying in United Kingdom troops to assist the Nigerian Security Forces, if in an emergency you should find it necessary to seek such assistance. The virtue of having such plans ready would be that it would increase the speed with which assistance could reach you should it ever be necessary for you to ask for it.

On the matter of help for the Nigerian Forces there is, of course, quite a lot going on already in the way of training assistance, assistance with equipment and so forth. Here again we are very ready to help you in any way that we can and if there are any particular matters on which you would welcome assistance either before or after independence, I hope that you will let us know.

Co-operation on the lines which I have so far discussed was, of course already envisaged in the outline of the proposed Defence Agreement which was initialled at the time of the Nigerian Constitutional Conference in 1958² and it does indeed seem to me desirable that a mutual agreement of the sort which we had in mind then should be concluded covering the provision of such assistance. This would be in line with arrangements made between many other independent countries.

In accordance with the procedure which I understand was agreed by the then Colonial Secretary with you and your colleagues in correspondence through the Governor-General, a first draft of the proposed Defence Agreement between our two countries has been under preparation here for some time. I have now had an opportunity to look at this draft and to study it in the light of our conversation in January and of the points which I have made in this letter. I think that, so far as is possible in a public document, the draft suitably covers the sort of matters we have been discussing and I am asking the Colonial Secretary to send copies of it at once to the Governor-General for consideration by you and your colleagues.

² See 463.

515 CO 554/2391, no 2

31 Mar 1960

[Political situation]: despatch no 16 from Sir G Bell to Mr Macleod on possible union with Niger, relations with Cameroun and Nigerianisation

[Extract]

... 7. Events in Africa are causing Ministers to take an increasing interest in their neighbours. As a sequel to the visit to the Republic of Niger of the Regional Minister of Internal Affairs at the end of last year, the Premier, M. Hamani Diori, has been

invited to Kaduna by the Regional Government to witness the opening of the Budget Session of the House of Assembly next week. I understand that the opportunity provided by his visit will be taken to have informal consultations and that the Prime Minister of the Federation will be represented at these talks. I am sure that the Premier and the other Regional Ministers realise that Niger is a poor and sparsely populated territory which, if it ever joined the Federation of Nigeria, would be an economic liability. I do not believe that they have any plans for bringing about such a union at present, but looking ahead we should bear in mind the fact that, as the population of Niger is Moslem and ethnically similar to the population of this Region, assimilation would have great political advantages for the N.P.C. If the Action Group tried to bring Dahomey into the Nigerian Federation (a course which a recent article in the *Daily Service* suggests as a possibility) the North would probably retaliate by playing the Niger card and perhaps the Northern Chad card as well. If any such competition were to develop, with control of the Federal Government as the prize, the danger to the integrity of the Federation would be obvious. These possibilities, remote though they are at present, give the proposed visit of the Premier of Niger a certain significance.

8. I spoke recently to the Premier on the subject of M. Ahidjo's likely attitude to next year's plebiscite in the Northern Cameroons. His opinion was that M. Ahidjo would inevitably do all he could to win the people of the Northern Cameroons to his side, and certainly we have had reports in recent weeks of propaganda leaflets being put out by his supporters describing the advantages of the Northern Cameroons joining the Republic. The Premier therefore doubted whether it was M. Ahidjo's intention to work for friendly relations with Nigeria at the moment and thought little would be gained by Nigeria trying to encourage him to this end, but he nevertheless undertook to try to discover more of what M. Ahidjo's intentions towards the North were. In point of fact, as M. Ahidjo's power is based on the Moslem north, the assimilation of the predominantly non-Moslem populations of the Northern Cameroons might upset the balance and unseat him. Furthermore, being very hard pressed himself at home, he might be ready to reach an accommodation with a powerful neighbour. . . .

15. The Regional Government seems to be determined to make a success of the legal reforms and recently directed that £290,000 should be made available for the construction of new courts even though this expenditure could only be found by painful retrenchment elsewhere. It is clear that the Ministers, perhaps understandably, are particularly keen to build up the indigenous side of the new structure and it was typical of their attitude that they recently decided that the Grand Kadi should enjoy the same precedence as the Chief Justice instead of the lower position which had been suggested for him by the Committee whose recommendations they were considering. In the meanwhile the Chief Justice is finding great difficulty in recruiting to the vacancies which exist in the Magistracy, where there is an establishment of 11 and a present strength of only six. As a result there are heavy arrears of magisterial work. In its consideration of this problem the Government has shown itself unhelpful and indeed has made little secret of its intention to dispense with British Magistrates as soon as it can. This has been due in part to clashes of personalities and in part to the belief that there will soon be Northerners qualified to do this work. The present position is that between now and 1962 a total of only five Crown Counsel and barristers will have completed their

training. By 1965, however, a total of a further 50 men are expected to qualify, including those who are at present engaged on the first stage of the barristers course at Zaria.

16. However doubtful we may feel about the qualifications and limited experience of these men, I am sure that the demand for the Northernisation of the Magistracy and later of the Judiciary will be no less insistent than it is in the case of the Administration and of the other services. Whether a moderate view can be made to prevail will depend much upon the personality of the next Chief Justice. In paragraph 8 of my Secret and Personal despatch No. 42 of 23rd August, 1958, I spoke of the unfortunate lack of friendly liaison between the Chief Justice and the Premier. I had hoped that relations had improved since then, but I fear that this is not so, nor for a variety of reasons do I see much prospect of their improving. Sir Algernon Brown is due to retire in the early summer of next year but until he goes the relations between the Judiciary and the Government will, I am afraid, remain at the best strained, and at the worst liable to a breach. I have spoken to the Chief Justice of this difficult problem.

17. In previous despatches of this nature I have frequently referred to the relations between British Officials—particularly officers of the Administrative Service—and Ministers, and it will be recalled that these relations have been under heavy pressure and strain during the past year. In recent months there has been an improvement but a new factor has shown itself in a group of young, able and ambitious Northern officials whose influence is likely to be increasingly felt. They might conveniently be called 'The Young Colonels'. They have not only condemned the provisions of Special List B but have also been sharply critical of what they consider to be the Ministers' lack of enterprise in failing to press for the immediate Northernisation of a large number of administrative and departmental posts. In Special List B they see a scheme whereby British Officials have been enabled to draw large sums of money from an impoverished Northern Government and at the same time remain in the service with their prospects apparently unaffected by Self-government and Independence. It has not been difficult for them to misrepresent some of the features of the Special List B scheme, and in particular Her Majesty's Government's financial contribution to it is ignored or played down. How far the 'Young Colonels' will be able to make their views prevail over what is at the moment the more moderate attitude of the Ministers remains to be seen. They appear to have drawn the Northern permanent member of the Public Service Commission to their way of thinking and the Premier has admitted being under pressure to post Northerners to appointments in which he might otherwise have been content for the moment to keep a British official. That Ministers are now sensitive to criticisms of the financial burden which Special List B places on the Region there can be no doubt, and I fear that the scheme will become increasingly open to condemnation. Nothing in all this is surprising. It is I believe true to say that in the Eastern and Western Regions it is the young African officials and not the Ministers who have pressed for rapid Africanisation, and that it is the view of the young officials which has prevailed. The difference lies in the fact that in the north there are so few Africans to take the place of British officials. The latest figures of Government officials ranging from the Professional Grade to the Lower Executive show that 441 are Northerners, 1,463 are expatriates and 392 are from the Eastern and Western Regions.

18. In paragraph 17 of my Secret and Personal despatch No. 22 of 16th June, 1959, I said something of the problem created by the shortage of educated Northerners and I reported that 435 candidates had taken the West African School Certificate examination that year and that 317 had been successful. For 1960 the figures show a welcome increase. Over 600 pupils are due to sit the examination and it is expected that 80 per cent. will pass. These figures take no account of those sitting for the General Certificate of Education at Nigeria College, Fourah Bay, or in the United Kingdom. Although this total represents a small proportion of the north's requirements of educated men and women, it is better than was foreseen two years ago. Meanwhile, in Kano general primary education for all children of the appropriate age has recently been introduced into the City. A year ago there were 1,760 northern children attending primary school there: this figure has now been more than doubled.

19. The urgent need to increase the number of Northerners in the Federal Public Service has engaged the Government in recent months. As a result, between 40 and 50 Northern boys who are School Certificate holders are about to be accepted into Federal Schools with the object that, after two years of further study, they shall enter Federal services direct. At the same time steps are being taken to improve the conditions in which Northerners enter the Federal Service. In addition, half a dozen outstanding Northern Officers have been selected for posts in the Federal Service as Assistant Secretaries or Executive Officers and a Federal Training Centre is being established in Kaduna which will accommodate 60 Northern students. Some progress has also been made in getting Northern cadets into the Police and 11 cadet sub-inspectors are under training and a further 12 will be selected shortly. The figures for Northerners applying for entry to the Army are still disappointing. In the past the overwhelming preponderance of Southerners in the Nigerian services, coupled with the arrogance which many of them displayed in office, was a constant cause of grievance and irritation to Northerners and undoubtedly contributed to such events as the constitutional rupture of 1953 and the Kano Riots. Consequently this exercise has far more than academic importance and its results will have an influence, one way or the other, on the future stability and harmony of the Federation. . . .

516 CO 852/1801, no 22

12 Apr 1960

[Aid]: letter from Lord Perth to Sir J Robertson on future UK economic assistance to Nigeria

Thank you for your letter of 24th March about C.D.C. and future economic assistance to Nigeria.

I should like first of all to make one or two points clear regarding our attitude to the C.D.C. projects which we have been discussing and the actual facts of the case.

During the eleven years to March 1959 the C.D.C. had committed only £3.4 million on continuing projects in Nigeria plus £2.1 million on abandoned projects. In the last twelve months alone, we have sanctioned £2.9 million and, for your own information have given approval in principle for a further £3.4 million (Federal housing is the main item), excluding the £3 million sanctioned for C.D.C.

investment in CAMDEV. This will bring the total C.D.C. commitment in Nigeria up to about £9 million. The great bulk of this money will be spent in the period after independence. So although the C.D.C. will not be starting new projects after independence, U.K. money will continue to flow into Nigeria through the C.D.C. in large amounts in the post-independence period.

It would also be unfortunate, and quite unjust, if the idea were to gain currency that H.M.G. have applied a narrow interpretation of the rules. We have in fact stretched the rules very considerably in approving expenditure which will, we know, not be incurred until after independence, and in giving, exceptionally, block sanctions for the regional development companies in the East and North. The fact that it was necessary to withhold approval for one or two new C.D.C. proposals, including the Eastern Region plantations and the Bacita Sugar project, needs to be viewed against the very substantial sums which have been approved.

I must also comment on your third paragraph. It is not true that the Colonial Office raised no objections to these schemes until December. Notes on these and other Nigerian proposals were first circulated by Nutcombe Hume at a meeting he had with me on 2nd October, when I told him I thought there could be little prospect of our being able to approve the plantation projects anyhow. On 29th October, I myself repeated to Hume that I believed the plantation business would be a non-starter. There was further correspondence and discussion with the C.D.C. in the course of which they gave us all the details of the projects which they could. But this correspondence gave the Corporation no grounds for thinking we could alter our view, before I wrote finally to Hume in December to say that after very careful examination we could not regard the plantation projects in the Eastern and Western Regions or the Bacita Sugar project as qualifying for approval. Even before October, 1959, the C.D.C. must have been well aware that these projects were likely to run into difficulty in the light of the policy set out in the enclosure to our despatch of 6th May, 1959, of which they had a copy.

So much for past history. As to the future, you ask where do we go? I have, of course, seen the correspondence arising from the Prime Minister's visit, to which you and Stapledon refer, I must make it clear that H.M.G. at present does not, and cannot, contemplate new channels of economic assistance for newly independent members of the Commonwealth, in addition to those which already have been or are being worked out. I do not think I can do better than send you the enclosed note,¹ which was prepared for the Prime Minister on his return from Africa, in response to Norman Brook's letter to Hilton Poynton, and sets out the position in detail. I also enclose a copy of a letter to Poynton from Brook about it. Of course our minds are not closed to any possibility of supplementing existing arrangements at some time in the future, if a compelling need were to arise, and we could generate the additional resources for it. But in this last connection, you should know, for your personal information, that the Government here is concerned about the balance of payments prospects and the mounting bill for overseas aid. This week's Budget, and the warnings in the Chancellor's Budget speech about the possibility of further measures being needed to damp down home demand, show that we are doing our best to restrain the growth in demand here at home so as to enable us to devote more of our resources to helping overseas development. But it is going to be a hard enough

¹ Enclosures not printed.

struggle to meet our present and prospective overseas commitments, without seeking to devise yet new channels of aid which would subject the economy to a strain which it simply could not stand. We shall be writing to you and to all Governors at greater length on this point very shortly. Meanwhile I do want you to realise that there is much anxiety here about the economic and financial situation.

One last point, you use the phrase 'If H.M.G. and the U.K. cannot help, Nigerians will go elsewhere'. I think H.M.G. *have* helped, and very well. The £15m. loan is larger than any loan to an independent Commonwealth country (or for that matter a dependent territory) since the Commonwealth Assistance Loans started, with the exception of course of India. And I think we have also been able to help very considerably over the C.D.C., as I have set out above. We hope too to be able to help over Technical Assistance. It would be most unfortunate in our view if disappointment over two C.D.C. proposals among the many which have been approved were allowed to get out of perspective and to detract from the general goodwill and real help which the U.K. has extended and is continuing to extend to Nigeria.

I am sending copies of this letter to Stapledon and Johnston, and also to Rankine, since the C.D.C.'s plantation proposals covered the Western Region as well as the Eastern Region. In this connection it may interest you to know that the C.D.C. in London pressed us to reconsider the decision on the *Western* Region plantations only.

517 CO 554/2182

13 April 1960

[London conference]: minute by C G Eastwood on the agenda for the forthcoming London talks

[Extract]

[The 1958 resumed constitutional conference agreed that there would be a further conference between representatives of the British and Nigerian governments to discuss remaining constitutional and other issues once the Federal elections of 1959 were completed. In Mar 1960 it was agreed that these talks would be held in London beginning on 10 May. See 527.]

I have been discussing with the West African Department the arrangements for the meetings with Nigerian Ministers in May.

2. I attach opposite a list of those who we now know will be coming. Awolowo is apparently going to refuse the invitation. He has said publicly that he is not coming to any more conferences. There has been some criticism in the Nigerian press of the idea of having another conference. The Prime Minister has explained that the purpose of the conference is as agreed at the 1958 conference to have final discussions on one or two outstanding matters.

3. It seems to us that the agenda will not in fact be a very formidable one. The main items will be as follows:—

(i) *A Defence Agreement*. This will primarily be for discussion between the U.K. Government and the Federal Government though perhaps the Federal Ministers may like to bring the Regional Premiers into the discussion. There has been considerable criticism in Nigeria in recent weeks of the idea of a Defence Agreement between Nigeria and the United Kingdom and considerable dislike shown of 'British bases' being established in Nigeria. As you will remember we sent

the draft texts of the Agreements out to Nigeria a few weeks ago and have so far had no comments on them. In sending them to Nigeria we did say that if they so desired there might be official discussions in Nigeria before the May talks but it would seem that there is now little chance of there being time for these. I fear that we may have difficulty over this item on the agenda.

(ii) *Technical Assistance*. Some weeks ago we sent a despatch to all Nigerian Governments setting out the lines on which technical assistance could be made available after independence and asking them to let us have as quickly as possible specific requests. We have had no reactions to this despatch as yet. There will not really be very much to discuss under this head since our despatch said that we were prepared to give them assistance over a pretty wide range of subjects and did not propose either any formal agreement or any limiting figure. Nevertheless Ministers are expecting something to happen during these discussions and Mr. Rumbold of the C.R.O. tells me that at some point the C.R.O. will probably have to lay some document before Parliament; it might perhaps be the despatch we have already sent and the replies to it when they come in or some other document on the same lines. We are looking further into this.

(iii) *The constitution for Independence*. There will be a number of points arising in the drafting of the constitution which it will be much easier to discuss with Nigerian Ministers than to settle by lengthy correspondence. A good many of these points can probably be settled by discussion between the lawyers who will be coming over from Nigeria and our lawyers here, but there will be a certain number which will require reference to Nigerian Ministers and these can usefully be discussed at the talks. We doubt whether this item will take up very much time.

(iv) *Cameroons*. We feel sure that there should be some discussion on Cameroons questions. For one thing it would be nice to get Nigerian Ministers to reaffirm that if the vote goes that way they will be willing to welcome the Southern Cameroons in as a Region and the Northern Cameroons as part of the Northern Region. It will probably be useful to say something also about the defence of the Southern Cameroons during the period of our direct administration.

4. Apart from these items, it will be desired to say something to Abubakar on the subject of honours after independence and it is also intended to have a ceremony for the signature of the exchange of letters relating to the Commonwealth Assistance Loan.¹ These letters will probably be signed by the President of the Board of Trade and Festus, at a ceremony at which conceivably the U.K. Prime Minister as well as the Nigerian Prime Minister might be present. . . .

¹ See 485.

518 CO 554/2393, no 1 14 Apr 1960
 [Political situation]: despatch no 5 from Sir R Stapledon to Mr
 Macleod on the political situation in the Eastern Region [Extract]

I have the honour to address you on the subject of the general situation in the Eastern Region of Nigeria.

2. Since my last despatch in this series the most important single event in the

Region, as in the Federation, has been the general election to the Federal House of Representatives in December 1959. Politically the six months preceding the election were completely dominated by preparations for that event; and the process of adjustment to its consequences still continues.

3. *The Federal Election.* The result of the general election was regarded by the N.C.N.C., the party providing the Regional Government, as a disappointment. They had hoped to emerge as the largest single party in the Federal Legislature and, as such, to be the dominant partner in an N.C.N.C./N.P.C. Coalition. That, in the event, they finished the course a poor second was a profound shock to the rank and file though it surprised the party leadership only in so far as the gap between the N.P.C. and themselves was greater than they had anticipated. In the post-election Cabinet-making, however, the N.C.N.C. took full advantage of the blatant mutual antipathy between the Action Group and the N.P.C., and succeeded in driving a bargain which was both satisfactory to the leaders and reassuring to the mass of the party.

4. *The Release of Dr. Azikiwe from the Premiership.* As it affects the Region this tactical success had the immediately important effect of enabling Dr. Azikiwe, the leader of the party and former Regional Premier, to proceed with dignity from the Regional to the Federal scene. Though not Prime Minister, though not even a member of the Federal Government, his appointment as President of the Senate with the promise (however insincere) of greater glories to come, has permitted him to withdraw from an office which, all too clearly, he was finding increasingly tedious. This withdrawal may be said to have pleased almost everyone. The Leader was seen to be proceeding to fresh and greater conquests—which pleased those, and they are many, who still regard him as the African Messiah. His greatness could in future be admired from a safer distance—which pleased those, and they are few but influential, who have discovered that Messianic qualities untempered by administrative ability are dangerous endowments for a Head of Government.

5. The removal of this powerful personality from the Regional Government is certain to have important consequences. On the credit side is the departure of a Premier who regarded that Government primarily as the vehicle for his own genius, who was either unaware of or carelessly indifferent to the financial and administrative chaos produced by his spectacular projects, and who so dominated the public mind and his colleagues that any criticism was treason. Unfortunately the majority of these colleagues are second rate nonentities whose concept of government, within the limits of expediency, is that it exists for their own aggrandisement and comfort.

6. The question, therefore, is whether Dr. Azikiwe's successor, with the support of two or three Ministers of character and ability, will be able to prevent the unhealthy dominance of the ex-Premier from degenerating into government by an incompetent and corrupt committee: it is fortunately beyond doubt that, if this is to be done at all, the present Premier is the right, indeed the only, man to do it.

7. *The New Premier.* Dr. Okpara, former Minister of Agriculture and Dr. Azikiwe's personal choice as his successor, is a comparatively young man who in an admittedly mediocre field is outstanding both in personality and talent: he has a genuine concern for the welfare of the Region and the reputation of its Government and while he has certain defects of character (he can be brash and stubborn and has a quick temper) there is little doubt that *if left to himself* he would prove an effective and competent Premier. The qualification is important. If his Government is to avoid

ultimate disaster he will have to depart in many respects from the policy and practice of his predecessor; but with an under-employed Dr. Azikiwe in the background this will not be easy.

8. So far, since his appointment in December 1959, Dr. Okpara has sensibly played a waiting game: the power of the caucus of Ministers, senior African civil servants and others who enjoyed Dr. Azikiwe's confidence and who, in effect, ran the Government and the Public Service in his name has been appreciably diminished; but otherwise there have been few developments and it is clear that Dr. Okpara intends to wait until the Leader becomes fully absorbed in Federal affairs before contemplating any drastic changes.

9. *The State of the Parties.* The three parties which effectively contested the Federal election in the Eastern Region (Dr. Azikiwe's N.C.N.C., Chief Awolowo's Action Group and Dr. Mbadiwe's D.P.N.C.) all had reason to be disappointed with the result. The N.C.N.C., while generally successful, suffered total defeat in all constituencies of the former Calabar Province save two on the border: the Action Group, except in that Province, failed to make any impression: the D.P.N.C. were unable to secure a single seat and Dr. Mbadiwe himself was heavily defeated in his home constituency. This result may be taken as indicating that the Mbadiwe revolt from the N.C.N.C. has been finally and convincingly crushed leaving Dr. Azikiwe's personal mystique as the chosen leader of the Ibos unimpaired, and that the distrust of the Efik and Ibibio peoples for a predominantly Ibo Government has intensified.

10. The effect of the Federal election on the parties in the Regional House of Assembly was as might have been expected. There were further defections from the Action Group and the D.P.N.C., reducing the combined strength of the Opposition to 12 in a House of 84, and in the current Budget Session Opposition speakers have tended to be more complimentary to Dr. Okpara's Government than some of his own back benchers. Outside the House the attitude of the Government generally (and of the Premier in particular) towards the dissident minority elements has hardened: there have been a number of punitive policy decisions and the Minister of Local Government has clearly been instructed to make life as difficult as possible for those Local Government Councils in the Calabar area which are Action Group controlled while prolonging beyond the allotted span the life of those Councils which retain an N.C.N.C. majority. In that area the reaction has been one of passive resentment. It is too early to say whether this will evolve into acquiescence in an unsatisfactory but inevitable *status quo* or whether it will explode into renewed agitation for a separate Calabar State: the probability, however, is that the Efiks and Ibibios will reluctantly come to terms with their masters.

11. *A Political Development.* A curious political development which has occurred during the current Budget Session of the House of Assembly is the formation of the 'Nigerian Socialist Group'. The ostensible aims of the Group, as described by S. G. Ikoku, Leader of the Opposition and one of the founder members, are:

- '(1) to provide a rallying ground for the many Socialist youths and intellectuals scattered all over the country;
- (2) to undertake a critical and objective study of Nigerian society and provide suggestions for solving its contemporary problems;
- (3) to spread Socialist ideas and policies through lectures, discussions, seminars, newspaper articles, pamphlets, &c.;

- (4) to encourage its members to canvass Socialist ideas and policies within the various political parties to which they may belong;
- (5) to study African and world problems with a view to spreading knowledge about foreign countries thereby forging bonds of understanding and of friendship between our people and the peoples of Africa in particular and of the world in general.'

Other important founder members are B.C. Okwu, Minister of State responsible for Information, and M.E. Ogon, Provincial Commissioner for Ogoja, and the Group is said to be under the patronage of the Premier.

12. In his introductory speech Ikoku was at pains to make two points, the first being that the Group was not a new political party and the second that it was not 'a manoeuvre for overthrowing the Government of the Region'. Whatever the sincerity of these protestations it is significant that the two Government members of the Group are professional 'angry young men' who have recently been outspoken in their advocacy of a left-of-neutral foreign policy for an independent Nigeria and that Ikoku is a person with a Communist record. Furthermore B.C. Okwu (himself suspected of being a fellow-traveller) is the only member of the ministerial team who has sufficient energy and ambition to be seriously considered as a rival to Dr. Okpara. If at some future time Dr. Azikiwe were to join issue with the Federal Government on the question of its attitude to the Western Powers it is to persons such as Okwu and Ogon (and even Ikoku) that he would look to manufacture popular support.

13. Ikoku also made the point that the Group was the result of spontaneous action and was not in receipt of support or encouragement from 'elsewhere'. This may be so; but it should be recorded that informed Nigerian comment is that the Commissioner for Ghana is interested.

14. *The House of Chiefs.* At the instance of the N.C.N.C. delegation the 1957 Constitutional Conference recommended the establishment of a House of Chiefs in the Eastern Region. An upper and chiefly chamber was attractive as a potential source of patronage and considered necessary on the principle that the East ought to 'catch up' with the North and West. But if the theory was simple and attractive its practical application has proved extremely difficult. There are in the Eastern Region less than a score of traditional rulers who may properly be described as chiefs and, in these circumstances, Government approached with understandable reluctance the invidious task of producing some 80 persons of allegedly chiefly status. By the end of 1959, however, the bicameral structure of the Regional Legislature had been duly enshrined in the Constitution and it became urgently necessary to produce some kind of second chamber in order that the business of government could proceed.

15. The House of Chiefs as finally constituted consists of 8 Traditional Rulers, 12 First Class Chiefs representing the 12 Provinces of the Region, 55 Second Class Chiefs and 5 Special Members. Except where there was a plurality of pretenders to a particular title the Traditional Rulers presented no problem. Nor was it difficult to produce the First Class Chiefs and Special Members—both were openly and formally nominated by the Government. To the problem presented by the Second Class Chiefs, however, it was deemed expedient to find a less tidy and more defensible solution. A number of more or less unsatisfactory proposals were considered and rejected before a typically Ibo procedure was adopted.

16. On a working basis provided by the 1953 Census, old Divisional Intelligence

Reports and the local knowledge of Administrative Officers some hundreds of 'clans' were arbitrarily defined. Divisional Officers were then required to summon mass meetings of each 'clan' in order to elect or to recognise by acclaim the 'clan head'. The 'clan heads' so produced were recognised as Second Class Chiefs and, at divisional meetings, selected those of their number who were to proceed to the House.

17. The end-product of these expedients is a tragically comical assembly whose members range from the octogenarian and illiterate Obong of Calabar to young school teachers nominated, *faute de mieux*, by their clans. They have acquired, since their selection, a bewildering variety of supposed chiefly regalia. . . .

25. *The Financial and Economic Position.* In the field of public finance the Region is better placed than there was reason to hope a few months ago. The estimated general revenue balance at 31st March stands at nearly £6 million which is higher than it has ever been before. This results from an unforeseen increase in the Region's share of federal revenues. With increasing oil revenues now virtually certain it might be hoped that the Region was, for the first time in its history, about to escape from its chronic near-insolvency. But that hope fades when account is taken of the snowballing cost of the social policies to which the revenues are already committed, the consequently greater need to make up leeway in economic policies, and of the ever present temptation towards prestige extravagances in order to keep up with wealthier neighbours in the West.

26. Inexorably, and more and more, money and the lack of it will dominate the political scene until first an agrarian and then an industrial revolution has provided the means of satisfying the aspirations of 8 million people to whom material advancement is, more than to most Africans, what matters. The development of the oil field around Port Harcourt is, both materially and psychologically, quickening the pace towards the break-through which so vigorous and over-crowded a population must make some day.

27. *Future Prospects.* Any attempt to forecast the future must take into account one curiously obstinate feature of the Region's recent history—the fact that an erratic, spendthrift and incompetent Government has, despite its failings, contrived to muddle through without going bankrupt and without forfeiting permanently any appreciable amount of public support. This phenomenon, which has mystified many observers, is explicable only by reference to the tradition of Ibo solidarity: to the Ibos the N.C.N.C. is *their* party and its leadership is therefore sacrosanct (a negative but convincing proof of this explanation is provided by the non-Ibo areas of the Region where the people have no hesitation in giving formal expression to their dissatisfaction). It follows that much depends and must continue to depend upon the whims of a very few leaders and in particular upon the whims of *the* leader. For as long as he survives Dr. Azikiwe seems likely to retain his power to make or break any Eastern Government.

28. Prophecy in the Eastern Region has always been bedevilled by imponderables; and at present the greatest of these imponderables is Dr. Azikiwe himself. Will he leave Dr. Okpara undisturbed in what will necessarily be a major exercise in reform, consolidation and development or will he regard him as a rival to be discredited? How far will Dr. Okpara be prepared to go before fear of Dr. Azikiwe's disapproval diverts his purpose? The answer to these questions must depend upon Dr. Azikiwe's political future: if, in one capacity or another, he becomes deeply

involved in Federal or even in world affairs Dr. Okpara's prospects will improve: if the wider ambitions of the one are disappointed the prospects of the other will fade. It is, therefore, a sad but inescapable conclusion that in this respect the interests of the Federation and of the Eastern Region are diametrically opposed.

29. Having entered this caveat what, from the admittedly parochial vantage point of a Regional capital, seems to be the future of the Federation? Much of what is now being said in the Nigeria Legislative Houses and beyond (*e.g.*, by the new Socialist Group) suggests a sudden hardening against the Commonwealth connexion and the West as a whole and a renewed suspicion of imperialist manoeuvring. It is only natural that Nigerians on the threshold of Independence should be angered by the Sahara atom bomb tests and by recent events in Algeria and in South and Central Africa.¹ But even so one wonders to what extent the current trend may be a symptom of the struggle for power *within* Nigeria.

30. In that struggle two factors are of paramount importance—the vastness of the Northern Region and the proof of its solidarity provided by the Federal election. It is widely believed, moreover, that with the coming of Independence and the release of powerful reactionary elements from British restraint Northern solidarity will become even more politically impenetrable. Faced with what appears to be a permanently dominant North, further strengthened by a divided South, Southern politicians are becoming increasingly exasperated; and it is habitual for exasperation of this kind to find a scapegoat in the myth of a Machiavellian plot by the 'imperialists'.

31. If this interpretation is correct there may be difficulties between now and Independence. In particular, the Defence Agreement between the Federation and Her Majesty's Government may present a problem in negotiation. How the internal struggle will thereafter develop depends upon the omnipresent Dr. Azikiwe. It is not to be expected that he will show his hand until he has judged what fresh political capital, whether as critic, exponent or back stage negotiator, he can make for himself out of Nigeria's external relations. . . .

¹ French atomic tests began on 13 Feb 1960 in the Sahara and were accompanied by considerable protests within Nigeria. In Algeria, the continuing war between the French and the *Front de Libération Nationale* led to insurrection by European settlers against the French government and to barricades being raised in Algiers. The 'week of the barricades' was followed by the assumption of special powers by the French government and firmer action against terrorism. The continuing state of emergency in Nyasaland prompted demonstrations in Nigeria during Macmillan's visit concerning the continuing detention of Dr Hastings Banda, leader of the Nyasaland African National Congress. In South Africa opposition to the Pass Laws culminated in the Sharpeville shootings of 21 Mar 1960 when 69 people were killed by the police.

519 CO 554/2162, no 19

[Apr 1960]

[Nigeria's membership of the Commonwealth and the UN]: CRO brief

A. *Membership of the Commonwealth*

At the Nigerian constitutional conference in 1957 the United Kingdom undertook to sponsor Nigeria on its becoming independent for Membership of the Commonwealth: during the 1958 constitutional conference the United Kingdom Government agreed, if the Nigerian Federal Parliament passed an appropriate Resolution, to the grant of Independence on 1st October 1960.

2. Nigeria fulfils the general criteria for Independence and Membership of the Commonwealth. Her economy appears viable. There is a stable (Coalition) Government with a firm majority recently elected and the new House of Representatives has resolved unanimously that Membership of the Commonwealth is desired as well as Independence. The Colonial Secretary referred to it, and to United Kingdom legislative arrangements in the House of Commons on the 10th March—see Annex 'A'.¹

3. The territory most recently to achieve Independence and recognition as a Member of the Commonwealth was the Federation of Malaya. At the Prime Ministers' Conference in July 1957, Mr. Menzies argued that it would be improper to recognise Malaya as a Member in advance of a notification from Malaya on attaining independence that she wished to be so recognised. Mr. Macmillan replied that it would be unwise to risk offending Malayan opinion by too slavish an observance of constitutional niceties, but in deference to Mr. Menzies's view the final communique concluded with the reference that Commonwealth Prime Ministers '... looked forward to being able to welcome an independent Malaya as a Member of the Commonwealth on completion of the necessary constitutional process. . . .'² In the latter part of August 1957, following the enactment of the Malayan Independence Bill, there was a series of Prime Minister to Prime Minister letters referring to this communique and to the promulgation of the Constitutional Order-in-Council on the 23rd August 1957, and proposing that it should be announced on the 26th August that Malaya would be accepted as a Member on becoming independent on 31st August 1957. Commonwealth Governments agreed and the announcement was duly made.

Future action

4. It is expected that United Kingdom legislation granting Nigerian Independence will receive the Royal Assent by the end of July. An Order-in-Council containing the new Nigerian constitution will be promulgated at about the same time. As not all Commonwealth Prime Ministers might feel able to agree in advance, at the Meeting, to recognize Nigeria as a Member on Independence, it is suggested that their agreement in principle should be sought.

5. On the Malayan precedent it would be desirable to include some reference to Nigeria in any communique, and it is to be hoped that all Prime Ministers will agree to this and to the suggestion for another series of Prime Minister to Prime Minister letters closer to the date for Independence to decide on the terms of the formal announcement.³

B. Membership of the United Nations

6. When Ghana and Malaya applied for membership on attaining independence in March and August, 1957, respectively, their applications were sponsored exclusively by the Commonwealth. (In fact the Union [of South Africa] abstained from both exercises but solely because she was not at that time participating in the

¹ Not Printed.

² BDEEP series B, vol. 3, A J Stockwell, ed, *Malaya*, part III, 457.

³ On 9 May 1960, during the Commonwealth Heads of Government meeting in London, Macmillan announced Nigeria's intention of applying for membership. Commonwealth prime ministers agreed to Nigerian membership once she had gained independence and formally had applied.

work of the United Nations.) It is desirable that sponsorship for Nigeria should follow the same pattern. The Nigerian Government for their part have welcomed the adoption of such a procedure.

7. Dr. Nkrumah, however, hankers after purely African sponsorship or possibly 'dual' sponsorship (i.e. both Commonwealth and African). If he should float this idea at the Meeting, the value of demonstrating the Commonwealth connection at the United Nations might well be explained. (Bearing in mind also the report that Sir Abubakar would not apparently welcome African or joint sponsorship.) In view of past precedents, the failure of the Commonwealth and particularly the United Kingdom to sponsor Nigeria's admission would be misunderstood by other United Nations members. If the well-known precedent of exclusively Commonwealth sponsorship is not followed, it would probably be impossible to restrict sponsorship in any way, with the result that neither the Commonwealth nor the African significance of the operation would emerge. Non-Commonwealth African members can always demonstrate their particular interest in Nigeria's membership by speaking in support of her admission in the General Assembly. (In practice, nothing can be done to prevent non-Commonwealth members adding their own names, if determined to do so, to the resolution regarding Nigeria's admission to the United Nations).

520 CO 554/2479, no 4

27 Apr 1960

[Political situation]: despatch no 31 from Sir J Robertson to Mr Macleod on the political situation in Nigeria

I have not written a despatch discussing the general situation in the Federation of Nigeria since last August and a great deal has happened in Nigeria since then. I have, I hope, kept you reasonably well informed about matters which have arisen from time to time, but it is an appropriate moment now, before I leave Nigeria for a few weeks in the United Kingdom, to attempt to give a general picture of the present situation.

2. The realisation that Independence is to be achieved on 1st October has produced an emotional atmosphere throughout the country which has been intensified by reactions to the French atom bomb explosions in the Sahara, and to the recent disorders and bloodshed in South Africa. It is hard to judge how far these emotions have penetrated into the real consciousness of the mass of the people, and affected their fundamental attitude towards affairs, but there appear to me to be signs that some change is to be apprehended in the previous attitude of friendliness towards the Western democracies and of opposition to Communism. These reactions have been spontaneous and have without doubt resulted in a growth of racial feeling, black versus white. There appears to be no evidence to show that Communists have been instrumental in stirring up these feelings, though I have little doubt they have been able to play their part in keeping them going. Mr. Imoudu, for instance, a Communist trade unionist, was a leading figure in a Lagos demonstration against South Africa a few weeks ago and distinguished himself by his intemperate language. It is enough to say that these extraneous events have given Communist supporters a magnificent field to exploit, which they seem to be doing steadily, if quietly.

3. In this situation the Prime Minister, whose personal position I shall discuss in a later paragraph, and other wise and far-seeing Nigerians have been forced to adopt attitudes which are far more violent than their own views dictate, in order not to lose influence and prestige with the more emotional elements in their parties. There has therefore emerged in recent weeks an apparent change of view towards Ghana and Dr. Nkrumah and a greater sympathy towards the Pan African movement. In present day circumstances this can hardly be wondered at. It is going to be more difficult now for the Prime Minister and the more rational of his colleagues to proceed on their previous basic assumptions that Nigeria will always remain firmly allied with the West.¹

4. The various Legislatures throughout the Federation have recently been meeting, and in their debates this change of attitude has been widely reflected, and has shown itself especially in discussions on South Africa and the atom bomb.² Doubts have been expressed whether it is wise to join a Commonwealth where a Government such as that of the Union is a member and resolutions to take practical steps against South African trade have been adopted. Strong attacks have been made on the idea of any defence agreement, especially if a military base is to be granted to a foreign Power. Criticism of the acceptance of loans from abroad has also been expressed, and though such criticism usually comes from those who in the next breath demand vast development projects without any higher taxation, there is a widely voiced opinion that such loans form part of a neo-colonialism, which aims at substituting economic controls for the previous political domination. The same point of view is also evident in an increased expression of opinion that all important policy-making posts in the Civil Service should be in the hands of Nigerians at Independence, regardless of the obvious lack of Nigerians with the necessary experience and qualifications.

5. I think therefore that, in the last two or three months, new emotions and stresses have seriously affected the Federation and I am afraid that these will continue to grow until Independence has been achieved and the country has had time to settle down. Perhaps too much has been made in the past by me and others of Nigeria's friendship for Britain and the West, and while I have no doubt personally that this is strong and that there is a vast fund of goodwill here towards the British, yet we should not be too disappointed if in the first flush of Independence much is said and done which seems contrary to what we should wish. I think this is natural and unavoidable in all the circumstances of the present day.

6. The Federal general election took place peacefully in December and resulted in no overall majority for any party. The Northern Peoples Congress with 141 seats were the largest group, the N.C.N.C. obtained 82 seats, the Action Group with allies 72 and the N.E.P.U. 8. There were 9 independents, all of whom have now aligned

¹ Burr minuted on this despatch: 'The Governor-General reports a distinct move in Nigeria feeling. I think that this can be most briefly described as an increasing Africanism ie an increasing tendency for Nigeria to think and act like an African state. I believe we have already discounted this, realising that if Nigeria is to retain influence among African states after independence it will have to behave like an African state and not like some Western appendage. This may from time to time result in their acting contrary to our opinion or even our interests but I think we just have to accept that' (CO 554/2479, no 4, minute by E C Burr, 4 May 1960).

² This is a reference to the French atomic tests in the Sahara and the Sharpeville shootings of 21 Mar 1960.

themselves with major parties. The present strengths in the House of Representatives are:

Government parties . . .	240 (N.P.C., N.C.N.C. and N.E.P.U.)
Opposition	72 (Action Group)

Subsequent to the elections the leader of the N.C.N.C., Dr. Azikiwe, used his position with much political skill playing on the fear of the N.P.C. that the two Southern parties would form a Coalition to form a Government. In spite of opposition from some of his leading supporters to such a proposal, he was able to obtain for his party a much greater participation in the new Government than their strength in the House justifies. Including the Prime Minister there are 10 N.P.C. Ministers: the N.C.N.C. have eight and there is one Minister of State who is non-party. By himself agreeing to accept the honorific but politically powerless position of President of the Senate, Dr. Azikiwe has obtained freedom of movement and the ability to pull strings from behind the scenes without any responsibility.

7. The hope that the Prime Minister would find himself in a stronger position after an election based on adult suffrage and the secret ballot has not been realised. He was not allowed to choose his own colleagues, with one exception. From the beginning he has had the two party leaders like millstones round his neck and it was they who chose his Ministers. One of them, the Sardauna, Premier of the Northern Region, is often difficult and usually unpredictable: it must be a severe strain on the Prime Minister always having to defer to him in order to keep him happy. The other, Dr. Azikiwe, is thoroughly mischievous and the danger is that the Prime Minister does not realise, I think, how dangerous and how unprincipled he is. The appointment of Dr. Majekodunmi, a personal friend of the Prime Minister, as a Senator and Minister of State has not done the Prime Minister any good in the eyes of the Nigerians because most of them frankly regard it as nepotism and it has brought him down to their level. The Prime Minister recommended the appointment because he wanted one real friend in the Council: now he is beginning to see the doctor's feet of clay. Waziri Ibrahim, the Minister of Health, is a thorn in his flesh. I can only suppose that the Prime Minister recommended him for appointment on instructions from the Sardauna, in order to keep him away from Kaduna and out of the Executive Council there. He is violently anti-British and particularly vehement against British officials, though this may merely reflect what he has seen of the British employees of U.A.C., many of whom in the North have in the past left much to be desired as representative British subjects. The Minister of Pensions, Musa Yaradua, is a nonentity and Mr. Olarewaju, Minister of State, is a poorly-educated forest guard. Two or three of the new Ministers are good: Maitama Sule, Minister of Mines and Shehu Shagari, Minister of Economic Development. Mr. Akinfosile, Communications, is intelligent and hard-working but lacks experience. The Prime Minister gained some self-confidence by expressing his displeasure with Ribadu, Minister of Lagos Affairs, and with Festus, Minister of Finance, and thinks that he has got them under control: I doubt this. Festus gets carried away by his enthusiasm although fundamentally he means to be loyal to the Prime Minister for whom he has a tremendous admiration. Ribadu will just be a little more discreet: he cannot really be trusted but yet is the one man who has influence with the Sardauna. The Prime Minister seems to trust Dipcharima, the Minister of Commerce and Industry, while describing him as 'a terrible man'. He rather admires Dipcharima's breezy threats

against the Southerners and may regard him as a useful counter to the Sokoto influence. Most of his Southern colleagues he thoroughly despises but Benson, Minister of Information, won a place in his heart by his implacable opposition to any idea of the N.C.N.C. having a coalition with the Action Group and by thereby ensuring the formation of the present Government. The N.P.C. will not even consider any alliance with the Action Group so they are forced to put up with the N.C.N.C., most of whom are out to recoup their election expenses and would join up with anyone to stay in power. The most depressing factor has been the Prime Minister's apparent weariness ever since the election. Cabinet-making and his negotiations with the Sardauna and Dr. Azikiwe took a lot out of him and, just as he was recovering, the Ramadan fast started and took more out of him physically. I have found it very difficult to get him to look ahead more than a week or so. In the past he has dealt with policy files expeditiously but now he locks them away and won't even read some of them. This weariness has brought out a new side to his character and he has become pugnacious. A recent incident near Lafia in the Northern Region where the Police had to retreat before an armed crowd horrified him: he would have had them shoot their way through. More and more he is coming to believe that in Africa a Government must establish itself beyond all doubt, even by the use of force, and in this I think he would have the support of most Africans—though of course each one's own party must be in power.

8. It is not easy to guess how long the present Government will continue to hang together, but I think it will last till Independence. The N.P.C. and N.C.N.C. do not find each other easy bedfellows, and have little in common except their mutual dislike of the Action Group, and their common desire for power and its perquisites. The Action Group would willingly form a Coalition with the N.C.N.C. and Chief Awolowo made great efforts in December to persuade Dr. Azikiwe to take the Prime Minister's office in a Southern Coalition Government. From all reports I think Dr. Azikiwe would have done this, had he not feared secession from the party of T.O.S. Benson and Chief Festus Okotie-Eboh, both of whom have long and bitter personal disputes with the Action Group. The Prime Minister still cherishes the hope that he will be able before long to break up the coalition and, with the support of dissident N.C.N.C. members, lead a single party with a majority in the House. This would make things much easier for him as it would shake off the incubus of Dr. Azikiwe from his shoulders.

Dr. Azikiwe has remained quiet, and apparently is behaving in an exemplary manner. As President of the Senate he has been impartial and spoken in a statesman-like way. His ambitions are now centred in becoming Governor-General after Independence, and for this he will have the vociferous support of a considerable following. The Action Group will of course oppose such an appointment and the N.P.C. will feel doubtful about it. I am a little afraid that the Prime Minister underestimates Dr. Azikiwe's power of mischief in such an office. He believes that he would not interfere with the N.C.N.C. Ministers and that he could be controlled. In this I fear he is deceiving himself. The appointment would be badly received by expatriate staff and would hasten their exodus. It could also hardly fail to increase the anxieties of business interests who would see in it signs of financial instability, and would remember the indictment of the Doctor's financial honesty passed on him by the Foster Sutton Tribunal in 1956.

9. While political stability at the centre has therefore not yet been achieved, in

the Regions the new Governments have settled down successfully in East and West. With the departure of the party leaders, Dr. Azikiwe and Chief Awolowo to the centre, the new Premiers have shown refreshing signs of getting on with Regional development, and both Dr. Okpara and Chief Akintola have made good beginnings. It is too early to judge whether they will be able to take lines independent of the previous Premiers who are still the respective party leaders, but both have shown realism and determination in tackling Regional problems, and have proved themselves more interested in careful administration than their predecessors. They have also been more forthcoming and co-operative in their relationship with the Governors and have also shown a desire to work closely with the Federal Prime Minister. The crux of the political situation seems to me to rest on the support which the Prime Minister can obtain from his own party, and so long as he and the Premier of the North work in close unison I think the Prime Minister will be able to maintain his position. It is clear however from what I have said above that he is far from secure in the saddle, but I believe he will not be unseated before Independence, as no one wishes a major political crisis until that has been won.

10. The ruling coalition (N.P.C. and N.C.N.C.) are determined to use their power to undermine the influence of the Action Group. There is frequent talk of extending the area of the Federal Territory by taking over neighbouring parts of the Western Region, and I understand that this policy was accepted by both parties when the coalition was formed. Should action be taken to carry out an expansion of Federal Territory at the expense of the Western Region, I have little doubt that it will cause a complete estrangement between the Western Government and the other Governments of the Federation and may easily result in disturbances and bloodshed. It is also intended by the N.P.C. and N.C.N.C. to separate the Benin and Delta Provinces from the Western Region and set up a new mid-West Region. This will probably be a less explosive exercise, as the great majority of the inhabitants of the area will support the proposal, but the result of these two operations will be firstly severely to restrict the area of the Western Region and to limit the power of the Action Group Government, and secondly to increase the instability of the country as a whole just at the post-Independence period when there should be as much consolidation as possible.

11. Apart from this possibility of future disagreement, the general situation in the Federation is as good as it has been for several years. As I mentioned earlier, there have been agreeable signs of co-operation between the Prime Minister and the new Premiers of the Eastern and Western Regions, and there is almost daily contact between the Prime Minister and the Premier of the North, the leader of his party. There have been reassuring instances of joint governmental action, and I feel more confident now than ever before that the Federation will hold together, and that the risks of it breaking up are receding. People—and especially the more vocal elements—are increasingly conscious of a 'Nigerian' rather than of a tribal or regional, outlook and at the recent conference called by Dr. Nkrumah at Accra Nigerian representatives of all parties formed a united national delegation which made a considerable impact on the conference, refusing to be satisfied with woolly generalities and calling for a practical approach to the problems under discussion. Of course there is still a long way to go but I believe that with the achievement of Independence and the need to face world opinion at the United Nations with a national foreign policy, the unifying influences will grow. Dangers lie in the

bitterness felt by the N.P.C. and the N.C.N.C. against the Action Group, as I have mentioned previously, and also in the unsettlement caused by Action Group electioneering in the North last year, where in certain areas of Benue Province by their attacks on the Chiefs and Emirs they have aroused feelings against the native authorities amongst pagan and Christian tribesmen and peasants which will take patience and time to assuage. Among the leaders and politically-conscious elements there is a great determination to make Nigeria into the leading African State which should assume the place which its population and size warrant. They are wise enough to know that a divided and disunited country cannot achieve such a position and I believe that, though they may bicker and quarrel at home, they will be realistic enough to prevent these family squabbles weakening their influence abroad.

12. I have been impressed on my recent tours in the Regions by the general stability and prosperity of the country. In spite of a considerable exodus of expatriate staff from the Eastern and Western Regions in the last three years since they obtained Regional self-government, there are few signs of a great deterioration in administration generally. The normal functions of government appear to the superficial observer to be carried out reasonably efficiently and I have no doubt that even if the machine sometimes turns over more slowly than before and occasionally creaks, there is now little likelihood of a complete breakdown. In the North too there has been an exodus of expatriate officers since March 1959 and more are due to leave in the near future; but young Nigerian administrators are taking their places and are doing well. The native authorities continue in most areas in the Northern Region to provide a form of local government which is generally suitable to the present conditions of the territory, and which with judiciously pursued democratisation should continue to give stable if authoritarian government for many years to come. Federal Services have not yet felt the impact of self-government, and it will not be clear for a few months yet how many expatriate officers will wish to resign within the next year or so. There are numbers of good young Nigerians in the junior grades of the Service, and I am optimistic enough to believe that, in the Federal Government too, sufficient civil servants of adequate calibre will be available to keep the wheels turning.

13. One of the most unhappy developments in the last two months has been the behaviour of the Association of Senior Civil Servants of Nigeria. The Association, which nominally is open to all senior civil servants, Nigerian or expatriate, is in fact generally regarded, and with some truth, as being dominated by, and directed towards, the interests of expatriate officers. And as is so often the case in associations of this kind in other territories, its spokesmen seldom include officers of any great experience or repute. By their clamour at the last minute for an increase in lump-sum compensation, their appeal to you (regardless of the fact that when the appointment of the Mbanefo Commission to review salaries was made in October it was made clear that any increases in salary would, though counting for pension, not count for compensation) that compensation must be based upon the revised rather than the pre-Mbanefo salaries, and by their ungracious attitude over the Government's decision not to fund the Widows' and Orphans' Pension Scheme, the Association has helped to increase the antagonism to expatriates for which events in the Sahara and in South Africa, as well as the understandable ebullience of the new House of Representatives, have prepared the climate. The trouble about these people is that, lacking all political sense and understanding themselves, their unreasonable

demands only serve to make things far more difficult for sensible officers who have a genuine desire to continue to serve Nigeria as long as they are wanted. The result is that more and more worthwhile officers are coming to the conclusion that the climate of independence is showing less and less likelihood of being one in which they can work happily and contentedly. 125 of the 704 officers who originally joined Special List B have now given 12 months' notice to retire, and there is still no indication of the decisions likely to be taken by the 103 officers who have joined no Special List at all, but who remain free to retire at four months' notice. Most Ministers, I believe, from their own experience of running Ministries, genuinely want the great majority of expatriate officers to stay, and hope to postpone as long as possible the inevitable day when they must rely upon Nigerian advisers; but they cannot say so in public. In the circumstances, with the notable exception of the Police, the morale of expatriates in the Public Service is at a depressingly low level. I think that this is an inevitable stage to have reached within six months of Independence, and that the Service will have to go through a cathartic process before it settles down. Much will depend upon the manner in which the policy for freezing lump-sum compensation is operated, but although it is unsafe to give estimates, my own expectation is that the pattern will follow reasonably closely that which has made itself evident in turn in the Services of the three self-governing Regions. I expect that within a few months of Independence some 20–25 per cent. of entitled officers will have retired. Thereafter I expect the fall-out to steady down. But I think that it would be unreasonable to maintain that, despite the statement of Nigerian leaders in 1954, a continuing career in the true sense will exist. By 1965, or possibly earlier, I would doubt whether there will be any administrative officers still serving on pensionable terms. The prospects of retaining (both because the officers want to stay and because Nigeria wishes to keep them) pensionable expatriate staff beyond that time will be limited I think to the Police, and to a variety of specialist jobs. Conversely, I think that it is not at all unlikely that, within two or three years, the present policy of refusing to re-employ on contract any officer who has retired with compensation will at least have been modified.

14. With the approach of the country to Independence it has been paid a great deal of attention by representatives of foreign nations. After much lobbying by the Israeli Government in the course of the last 18 months, the Prime Minister has now agreed that an Israeli Consulate may be set up in Lagos, and a Consul has been appointed. Israeli firms have been enjoying an increasing share in the industrial development of the Western and Eastern Regions, and the Western Regional Government are employing a number of Israelis on agricultural and technical projects. It is doubtful, however, whether the unfriendly attitude of the North will change. It is probable that the Federal Government will also agree to the establishment of an Ethiopian Consulate in Lagos, as soon as a formal application is received. Canada, Australia and the Federation of Rhodesia and Nyasaland have also taken steps to establish on Independence High Commissioner posts in Lagos. A goodwill mission from Yugoslavia paid a visit to Nigeria in February and held discussions with the various Federal and Regional Ministries. The Mission held a Press conference in Lagos on the eve of their departure and made various promises of economic aid and scholarship awards, but nothing more has since been heard of them. Last October, a member of the staff of the Yugoslav Embassy in London enquired about the procedure for establishing a Consulate in Lagos and was advised

that the proper approach was to the Foreign Office. Her Majesty has, at the request of the Federal Government, issued an invitation to President and Mrs. Tubman to pay an official visit to Nigeria in the second half of June. There have been many visitors from the United States, West Germany, Czechoslovakia and elsewhere, even from as far away as Hong Kong and Formosa.

15. The subject of economic aid and technical assistance after Independence has begun to assume much greater importance as Independence draws near. I am deeply conscious of all that has been done by Her Majesty's Government in the past and of all that is being done now to assist Nigeria, and I think that Ministers are equally appreciative. I also realise the many commitments with which Her Majesty's Treasury is faced. I cannot, however, over-emphasise the need for the Western Powers to continue to provide assistance, in the shape of technicians and money, in the future, either directly or through the various organisations of the United Nations and other international bodies. Perhaps consideration could be given to some sort of Colombo plan for Africa, with Commonwealth countries playing a major part? Canada and Australia are showing increasing interest in the idea of assisting underdeveloped countries. Having made a relatively successful start, the Nigerian Governments will continue to devise bigger and better development schemes requiring vast sums of capital. If the United Kingdom, the United States and other Western Powers are unable or unwilling to help, I have no doubt that Nigerians will look elsewhere and other sources, unfriendly to the Western cause, will only be too ready to step in. The energy and vitality of Nigeria demand economic and material progress in all aspects of its national life, and recent debates in the Legislative bodies of the Federation have shown how strong is the desire for improved standards of living. Education, of course, is the basic requirement to economic and industrial expansion, and the Government of the Federation is awaiting the comprehensive Report of the Ashby Commission on the future of Higher Education. Teacher training is vital and attention is being paid to it. Technical education appears to lag behind, in spite of much good work being done to expand it, and of a very welcome gift of £500,000 from the Shell/B.P. oil companies. Better road, better postal facilities and improved communications of all sorts are daily demands, and the growing numbers of children leaving the schools make an increasing industrialisation in the cities imperative if an unemployed or under-employed class of semi-educated youths is not to grow up to provide a ready audience for subversive propaganda. There are some bright sides to the picture; the developing mineral oil field in Eastern Nigeria is already providing growing resources from royalties and customs duties, and the vast expenditure by the oil companies provides much employment in the area of their concessions. The interest shown by the International Bank in the scheme to provide hydro-electric power from a Niger Dam, which will in addition assist navigation on the river, and store water for irrigation purposes, is an indication of the credit-worthiness of Nigeria. British business has now wakened up to the potentialities of this country as a market and there has been a welcome growth of interest in the possibility of investment. But there are others in the field and competition is keen.

16. In my last despatch in this series, I dealt at some length with the problem of the Trust territories of the Northern and Southern Cameroons and Sir Gawain Bell in his last two despatches has made special reference to the Northern Cameroons. Much has happened since I last wrote in August, but the general situation has become no less difficult and complicated. Since the plebiscite in the Northern

Cameroons on 7th November, the United Nations Organisation has decided that two further plebiscites should be held in the early months of 1961 with the direct questions of whether the two territories wish to join the Federation of Nigeria or the Republic of the Cameroun which has now become an independent State. It is expected that the plebiscites in the two Trust territories will take place on 7th or 11th February. Preparations for the plebiscites are in train and a fair amount of progress has been made. The United Nations Organisation also decided that during the interim period from 1st October, 1960, when the Federation of Nigeria becomes independent until the final settlement of the two territories' future, they should be administered directly by Her Majesty's Government in the United Kingdom, as the Administering Authority under the Trusteeship Agreement. This decision, while logical enough, has presented grave difficulties, as the Northern Cameroons have since 1920 been administered as part of Northern Nigeria, and the Southern Cameroons, though in recent years having a Government of its own, has been staffed by officers of the Federal Public Service and subsidised considerably by Nigeria.

17. The Northern Regional Government has now devised new administrative arrangements whereby the Native Authorities in the Trust territories are separated from the large Native Authorities of Bornu and Adamawa, and made independent, while new separate administrative Divisions have been created to cover most of the Trust territory. The Regional Government has already earmarked officers to serve in these new Divisions and Sir Percy Wyn Harris has been appointed Administrator from 1st October, 1960 onwards, with responsibility both for the ordinary administration of the territory and also for conducting the plebiscite. Difficulties in the North are now those of building up an organisation to carry on the administration and to consolidate the new Native Authorities which have been created. The status of the Northern Cameroons within the Federation, if it elects so to return, must be determined. The obvious solution is for the Government of the Northern Region to announce without further delay that the territory will be a separate Province of the Northern Region but I understand that this idea has now been complicated by the fact that with a thirteenth province the Regional allocation of 12 Senators—one per province—will be upset. The budget of the territory will also be separated from that of Nigeria during the interim period and the Federal and Regional Governments will be reimbursed for their services by the Administrator, the budget being underwritten by Her Majesty's Government. It is generally thought that the new separate Native Authorities and Divisions which have been created will be popular with the people, and that if it is known that the area will be created a separate Province should it return to Nigeria the majority will vote for incorporation in the Federation.

18. The position in the Southern Cameroons is much more involved as it has a separate Regional Government which has authority under the Federal Constitution to deal with Regional matters. Unfortunately, as I said above, most of the officers employed by the Region are seconded or lent from the Federal Civil Service. Furthermore, the Regional Ministers, jealous of their position and prestige, are not altogether happy with the proposal that Federal matters should continue to be run on a paid agency basis by Nigeria. The staff question is the most critical as a large proportion of the Federal officers, both expatriate and Nigerian, wish to leave the Southern Cameroons and either return to the Federation or retire. It seems probable that only by the offer of substantial inducement and by guarantees of their terms of

service by Her Majesty's Government will many of them be persuaded to see the interim period through. This question is one in which urgent decisions are required if the officers concerned are to stay on. Many of the most senior and responsible officials have already given notice of their desire to leave and the position in the Medical Service is most acute. Unfortunately the attitude of the Southern Cameroons Ministers towards the expatriate staff who keep the machine functioning has not been at all conducive to their remaining on. There therefore appears a grave danger that in the Southern Cameroons there will be a serious breakdown in administration generally, which will make the mounting of a plebiscite almost impossible.

19. In the Cameroun Republic there is widespread terrorism and disorder in the Bamileke and Mungo Provinces which border the Southern Cameroons. In order to maintain the frontier intact and prevent the terrorist bands from using it as a refuge and base from which to raid back into the Republic, Nigeria has had to send reinforcements of police and two battalions of infantry, who by constant patrolling of the frontier and flag marches have maintained the integrity of the frontier and greatly improved the morale of the local population. The Prime Minister of the Federation, however, has decided that after Nigeria's independence and the separation of the Trust territory from Nigeria these reinforcements of troops and police will be withdrawn and that he will be unwilling to make them available to Her Majesty's Government. The future is therefore far from happy, and it is difficult to see what can be done. There is insufficient time to raise and train a local militia, though the Southern Cameroons Ministers would like to see this done, and there would be many difficulties in finding accommodation and facilities for troops from outside West Africa.

20. Mr. Ahidjo, the Prime Minister of the Cameroun Republic, has up to date given no indication of what he visualises as the position of either the Northern or Southern Cameroons in the Republic if the result of the plebiscite should favour that solution. Efforts to get him into negotiations with the Premier of the Southern Cameroons have so far failed, and no doubt his own difficulties with elections and a new Constitution have prevented him dealing with this matter. It seems also probable that he is not very keen on having the Southern Cameroons join the Republic, as his own political strength lies in the North, and the Southern Cameroons would be an accession to his political opponents. He would certainly welcome the Northern Cameroons more warmly. It is significant that in the Constitution for the Cameroun Republic which recently came into force there is no hint of Federal institutions being contemplated, and this must have been a disappointment to Mr. Foncha and the Government of the Southern Cameroons who have always advocated a Federal set-up within the Cameroun Republic. It seems essential that a decision should be made by the Government of the Republic on the form of union which they favour and I have suggested to Mr. Foncha that he and his colleagues might formulate their views in a memorandum and send it to Mr. Ahidjo to get his reactions.

21. Mr. Foncha's Government is thought to have lost ground in public popularity in recent months, and the recent defection of one of his supporters in the Assembly has left the Opposition with an equal number of elected members. The Government has only kept its majority by the support of special and *ex-officio* members. The Opposition has called for a new election, but as the Government has not yet been defeated in the House, and as an election would be difficult to hold now

in the rainy season and with the early work on the plebiscite to be done, the Commissioner has been advised to refuse a dissolution if one was sought by Mr. Foncha. In the grassland area of Bamenda Mr. Foncha's strength appears to be lessening, and the Chiefs, who command a great deal of support among their people, are unhappy about the alternatives given by the United Nations Organisation for the plebiscite questions. They consider that Mr. Foncha has let them down and have summoned him to meet them at their Council on 1st May so that he can explain what he agreed to at New York and hear their views. There is a growing feeling in the Southern Cameroons, which I believe is shared by these important chiefs, that there should be a third choice of independence for the territory or continued trusteeship. Should this view command general acceptance it may be that the United Nations will have to take cognisance of it and reconsider their previous decision. Enough has been said to show how complicated and difficult is the Cameroons situation, and I can only state my personal belief that the next few month [sic] are going to be extremely tricky.

22. Preparations are going ahead busily for the celebration of Nigerian Independence. There was natural and widespread disappointment that Her Royal Highness Princess Margaret would not be able to attend owing to her forthcoming marriage as the Princess's name is well known here and the people generally were pleased that The Queen was sending her sister to represent her at this occasion. I am, however, confident that Princess Alexandra will receive a very warm welcome and be enthusiastically received.

Problems of accommodation for the representatives of the many nations who are expected to send delegations are now being considered. A new hotel is approaching completion, but there will be little time to spare. Lagos is being given a new look: streets are being widened, with present dislocation of traffic but with a view to great improvements by October. The choices of a National flag and of a National Anthem by the Council of Ministers have caused much comment, especially as the Anthem and its music were the work of non-Nigerians. The Council was completely unbiassed in making their choices, as the authors were unknown to the Council and their choice was made solely on the apparent merit of the compositions. Nationalistic considerations have also had a place in decisions about the type of street decorations and about invitations to be sent to orchestras and bands.

I cannot help feeling a little anxious that the organisation of the celebrations may leave a good deal to be desired and that the many prominent personalities who are expected to attend the celebrations may not find everything as well ordered as might be.

23. The changes in the Governorships in the Eastern and Western Regions may well increase the risk of such lack of organisation. The Premier of the Western Region has recommended to Her Majesty the appointment of the Oni of Ife as Sir John Rankine's successor. The Oni is the leading Chief in the Western Region and is respected as the descendant of a long line of Yoruba kings. He is President of the House of Chiefs and in many ways is a suitable choice. His experience, training and education, however, do not appear to make him entirely suitable as the occupant of Government House, and it is to be hoped that he will accept expatriate advice in the ordering of the House and of his official entertainments.

In the East, the appointment of Sir Robert Stapledon to be Governor of the Bahamas has left a vacuum as the Eastern Regional Premier is unwilling to make a

recommendation for a successor until after Independence. The Deputy Governor will therefore have to fill the gap as O.A.G. for several months.

There is as yet no word of a change in the Northern Region and it seems probable that Sir Gawain Bell may be allowed to complete his tour of duty: but there is some doubt as to the future of the Governor-Generalship. My own appointment was extended indefinitely in 1958 and it was agreed between your predecessor and myself that I should remain here until Independence. Until the last Federal election, it was likely that the Nigerian Prime Minister would recommend an expatriate to be appointed as my successor. There seems little doubt, however (see paragraph 8 above), that one of the terms of the N.C.N.C.–N.P.C. coalition which led to the formation of the present Government was that Dr. Azikiwe should be recommended to Her Majesty as the next Governor-General. The Prime Minister of the Federation is not altogether happy about this: I am sure he knows in his heart of hearts that it would be a mistake: but he feels bound by the terms of the agreement, and that unless he can in some way wriggle out of the bargain he will carry it out. I have told him that I am ready to go at once after the Independence Celebrations are over, or to stay on for a few more months as he wishes.

521 CO 554/2479, no 5

5 May 1960

[Office of governor-general]: minute by C G Eastwood on Dr Azikiwe's likely appointment as governor-general after independence

I asked Sir James Robertson today what was the latest form about the first Governor-General of independent Nigeria.

2. He told me that from what Abubakar had said to him he had now very little doubt that Abubakar would recommend the appointment of Dr. Azikiwe. Abubakar would want Sir James Robertson himself to stay until the independence celebrations were well and truly over. On that basis he would come home by a boat leaving on about the 10th November (I forget the exact date).

3. Sir James Robertson is sad at the prospect of Zik's appointment. He said that that would 'do Nigeria no good'. He agreed with me that that was really a considerable understatement. At the moment all the omens were that Nigeria would be launched on independence with the maximum of goodwill all round and with the reputation of a solid and stable country. If just at this moment their first African Governor-General was Dr. Azikiwe they would lose much of this reputation and much of the goodwill. The Bank enquiry had shown Zik to be thoroughly unscrupulous in his financial dealings. He would be temperamentally quite unable to act purely as a constitutional monarch, being to his fingertips a politician, used to holding all the strings of power in his own hands. (Nevertheless, he has, I understand, been an efficient President in the Senate in the last few months). He was also temperamentally unstable—as for instance last week in a moment of pique over a quite minor matter he suddenly decided and announced that he was not coming to the London discussions and then three hours later, having been mollified, decided that he would come after all.

4. I asked Sir James whether we must accept the situation and whether there was nothing that we could do. Would it not be useful for U.K. Ministers to talk to

Abubakar while he was here. He thought it would and that we should certainly do all we could to prevent Zik's appointment.

5. If Zik were not appointed, Sir James Robertson made it pretty clear that he thought that Abubakar would want him to stay on himself. I also get the very clear impression that he would be ready to do so, though no doubt not for a very long time. But he said (as he has said before) that he would not want to stay on in a position where he was being sniped at all the time by Zik and his party, which would not only be unpleasant for himself but would also affect adversely relations with the U.K.

6. The proposal to make Zik Governor-General throws of course upon Abubakar's present dependence on N.C.N.C. support in the Federal House. Sir James said that Abubakar had told him that he thought that if he broke off the alliance with Zik he could still survive because a good many N.C.N.C. supporters would in fact follow him but he did not at present think it expedient to pick a quarrel with him. However, I got the impression that Abubakar's position was not so weak that if pressed and convinced that it was the right course, he might not change his mind and decide to do without Zik's appointment.¹

¹ Azikiwe replaced Robertson as governor-general in Nov 1960.

522 CO 968/711, no 147 6 May 1960
[Defence agreement]: letter from R J Vile to C W Wright (MOD) on
proposed revisions by Nigerian ministers to the draft defence
agreement

We have now received from the Governor-General of Nigeria the comments of the Federal Government on the draft of the proposed Defence Agreement which was sent to them on the 31st March. I enclose a copy of the secret savinggram on this subject together with a copy of a secret and personal letter from the Acting Governor-General.¹

2. You will see from these documents that Nigerian Ministers propose a radical revision of the draft Agreement which we put to them. They are not willing to lease any land to the United Kingdom but they are willing to make an airfield available to HMG on terms to be agreed, such airfield being owned and controlled by the Federal Government. They are prepared to provide facilities for normal movements by ships and aircraft but ask for their agreement to be sought for extraordinary movements in times of emergency. In addition they ask for more specific provisions concerned with those sections of the draft dealing with training facilities, procurement of warships, weapons, etc., and that the provision of such facilities should come within the proposed arrangements for technical assistance; in other words that we should pay for them.

3. The Secretary of State has discussed these matters with the Governor-General and I think he may be sending a minute on the subject to the Ministers concerned over the weekend.² He is convinced that there is no prospect of moving Nigerian

¹ Not printed.

² See 523.

Ministers from the attitude which they have adopted on the base. But we must obviously examine the Nigerian proposals in detail and consider to what extent it is necessary for us to get changes made, and we must do this very quickly indeed as it will be necessary for us to produce by the middle of the week a brief for use by our Ministers in discussion with the Nigerian Ministers. We are therefore calling a meeting of all interested Departments for 11.30 on Tuesday the 10th May. Unless I let you know to the contrary it will be in Mr. Amery's room on the first floor. (He will not of course be there—Eastwood will be in the chair.)

5[sic]. I am copying this letter and its enclosures to interested Departments as before.

523 PREM 11/3047 9 May 1960
 [Defence agreement]: minute from Mr Macleod to Mr Macmillan
 summarising the current situation concerning the defence agreement

One of the most important points to be discussed with Nigerian Ministers in the next day or two is the preparation and signature of a Defence Agreement. Heads of Agreement were initialled by the Prime Minister and the then Regional Premiers during the Constitutional Conference in October 1958. They provided for the two Governments to afford one another assistance in mutual defence; we undertook to help in the staffing, administration, training and equipment of Nigerian forces; each party was to enjoy unrestricted overflying and air staging facilities and we were to be given leases

- (a) of a piece of land at Kano of up to 150 acres on which to build the staging facilities we needed and
- (b) if we applied for it, of about a further 1,000 acres on which to build an airfield if for any reason Kano became unsuitable.

We were also in emergency to have such port facilities at Lagos and Port Harcourt as might be required.

2. Since 1958 sentiment has changed very much throughout West Africa. Great feeling has arisen about the giving of 'bases' in Africa to outside powers. There is, I hope, no fundamental change in Nigerian goodwill towards us, but this change in general sentiment has naturally affected the attitude of Nigerian Ministers. Abubakar, the Prime Minister is our very good friend, but I am convinced, and so is the Governor-General, that we must broadly accept his judgment on what is politically practicable.

3. A draft of a detailed Agreement was sent to Nigeria in March for their comments. I only received them two or three days ago. Nigerian Ministers now propose a major departure from what was agreed in 1958. Briefly, while convinced that there is mutual advantage in a Defence Agreement, they do not think it would be expedient even to discuss at the forthcoming talks the subject of the United Kingdom being given a lease of land in Nigeria. They would however be ready to give us all the facilities we could want at existing airfields and, if desired, to expand them to our requirements at our expense. They would be ready to give us full over-flying and staging rights for normal movements but would want us to get their agreement for

‘extraordinary movements in times of emergency’. To put it crudely, as the Governor-General says, they would be very glad to see their airfields used to help us in a struggle in which we supported Blacks against Whites but might not like them used if we supported Whites against Blacks. They would like us only to have extra port facilities in emergencies ‘affecting both the U.K. Government and the Government of the Federation’.

4. My officials will be discussing the position in detail with officials in the Defence Departments and I will let you have my definite views as soon as possible. I feel sure however that if we are to retain Nigerian goodwill (without which no Defence Agreement is worth anything) we shall have to drop the request for the lease of land and rely on their good faith for the use of their own airfields. There is a certain risk in this but the risk involved in holding to our request at this stage is greater, for they cannot now reasonably hope to carry their people with them in an undertaking to let us lease part of their land. They do indeed hint that it might be possible to do something more definite for us after independence. If we rely on their good faith, my first thought is that we could reasonably ask them in return to rely on us to do our best not to embarrass them in staging and overflying aircraft and that they should not seek to question our reasons for wanting to move aircraft through Nigeria; but I am doubtful whether we should be able to get wholly unrestricted facilities written into the agreement, or indeed whether it would be wise to try.

5. I am sending copies of this minute to the Secretary of State for Foreign Affairs, the Chancellor of the Exchequer, the Secretary of State for Commonwealth Relations, the Minister of Defence, the First Lord of the Admiralty, the Secretary of State for War and the Secretary of State for Air.¹

¹ Macleod added a post-script: ‘We may have to meet on this. Defence Minister must give his views. It is *not* very satisfactory but it may be the best we can get’.

524 DO 35/10442, no 113 11 May 1960
 [Defence agreement]: memo from Mr Ward¹ to Mr Macmillan
 outlining the Air Ministry’s reaction to the revisions to the defence
 agreement

You asked for my views about the Colonial Secretary’s minute of 9th May concerning the difficulties which have arisen on the proposed Nigerian Defence Agreement.

2. The effect is that we should not be able to develop the facilities we should need to make Kano the key point in a reinforcement route. Nor could we count on the use of such a reinforcement route where disturbances or unrest occurred in African territories. But the Nigerian attitude is only part of the pattern developing in Africa whereby we might in time be denied overflying facilities in, e.g., the Belgian Congo, which would render useless any extensive rights we could obtain in Nigeria.

3. My conclusion is that we should seek to obtain the best terms we can induce the Nigerians to accept as regards staging and overflying, but we should drop completely the proposals for acquiring land or stationing permanent detachments

¹ G R Ward, secretary of state for air, 1957–1960.

there. Even if we succeeded in getting the Nigerians to agree to unrestricted staging and overflying rights on paper, we should have to recognise for internal planning purposes that any attempt to use the facilities for certain purposes would be politically embarrassing.

4. I am sending copies of this to the Colonial Secretary, the Secretary of State for Foreign Affairs, the Chancellor of the Exchequer, the Secretary of State for Commonwealth Relations, the Minister of Defence, the First Lord of the Admiralty and the Secretary of State for War.

525 DO 35/10442, no 119

12 May 1960

'Nigerian defence Agreement': COS Committee minutes (COS 32(60)3)

The Committee had before them a minute by the Secretary covering a draft brief by the Colonial Office for the use of the Colonial Secretary in discussions with Nigerian Ministers on the drawing up of a Defence Agreement. A letter from the Colonial Office to the Ministry of Defence quoting the views of the Governor General of Nigeria on this subject was also attached to the minute and was relevant to the discussion.

*Sir Edmund Hudleston*¹ said that in 1958 the Prime Minister and the then Regional Premiers of Nigeria had initialled the Heads of Agreement of a Defence Agreement. Subsequently a draft Defence Agreement was prepared and circulated to all concerned. Nigerian comment on this draft indicated considerable changes in their attitude. The draft brief before them was intended to provide advice for the Colonial Secretary on these changes.

In discussion the following points were made:—

(a) *Overflying and staging facilities.* There was no objection to meeting the Nigerian wish that we should not now be granted leases for the construction of an airfield and staging facilities. However, it might be dangerous to accede to the Nigerian request that Her Majesty's Government should obtain agreement for extraordinary air movements in times of emergency. It was very desirable that the United Kingdom should not volunteer acceptance of the need for consultation. These facilities would have to rest on Nigerian goodwill however and, if they raised objection to our staging troops for certain purposes, we would in practice be bound to consult with them. Nevertheless an additional sentence should be added to paragraph 8 of the brief to the effect 'Our objective should be the retention of the existing Article III in the draft treaty subject, if necessary, to the deletion of the word 'unrestricted' and we should avoid if possible any written agreement limiting our rights or implying consultation with the Nigerians'.

(b) *Additional airfield facilities.* An additional sentence should be added to paragraph 7(b) of the draft brief to the effect that 'If Her Majesty's Government requires additional facilities, such as oil storage, overnight accommodation, or aircraft servicing facilities, we would endeavour to secure them by commercial contracts.' It would be better if this point was negotiated through an exchange of letters rather than in the main Agreement.

¹ Vice-chief of air staff, 1957–1962.

(c) *Status of forces*. It was most desirable that the United Kingdom should retain exclusive jurisdiction over her forces either when stationed in Nigeria or when staging through the country. Difficulty was foreseen in obtaining Nigerian agreement to this. The War Office were preparing a draft Status of Forces Agreement and a summary would be sent to Nigerian Ministers.

(d) *Port Harcourt and Lagos*. It was undesirable for the Defence Agreement to contain a clause requiring the Nigerian Government's agreement to the use of Port Harcourt and Lagos in times of abnormal Naval movement. We might wish to use these ports for convoy assembly in war and, though they were of less importance than Freetown, the inclusion of such a clause might create a precedent which would adversely affect negotiations with Sierra Leone. The brief should make this point clear and Article IX of the Agreement should be omitted.

(e) *Tropical Trials of aircraft*. It was doubtful if the Ministry of Aviation would be willing to accede to the Nigerian request that the results of tropical trials of aircraft carried out in the country should, by agreement, be made available to the Nigerian Government. However, it might be possible to go some way to meet the Nigerians on this point by providing them with the results of trials of an unclassified nature or by the provision of expurgated reports. Any agreement on this matter would best be negotiated in an exchange of letters.

(f) While it was not for the Committee to advise on the actual form of the Agreement or of the tactics of negotiation, they were of the opinion that a short Agreement was desirable and that the detail should be covered in exchanges of letters. It was, however, pointed out that to ensure legal precision it was almost inevitable that the document would be long.

(g) It was most desirable that the Colonial Secretary should be acquainted with their view that the Agreement should emphasise those things which the United Kingdom were providing for Nigeria and not create an impression that the Agreement was one-sided. This was largely a matter of tactics in negotiation, which was outside their province; the Committee were however very concerned about the strategic implications of not obtaining all they required.

The Committee:—

(1) Agreed the terms of the draft brief for the Colonial Secretary, subject to the amendments suggested in (a) and (b) above and the future points made in discussion. They accordingly invited the Colonial Office to take note of their views in revising the brief.

(2) Took note that the Chief of the Defence Staff would inform the Minister of Defence of their views.

526 DO 35/10444, no 20 17 May 1960
 [Nigerian–South African relations]: letter from S J G Fingland to J B Johnston¹ on reactions to the Sharpeville shootings

We noticed the reference in paragraph 18 of the High Commissioner's despatch No. 5 of the 28th April to the state of relations between the Union and Nigeria and thought

¹ J B Johnston, deputy high commissioner, Cape Town/Pretoria, 1959.

that you might be interested to know something of the reaction in Nigeria to recent events in the Union as it has been reported to the Colonial Office by the Governor-General and Regional Governors in personal despatches.

2. It was perhaps inevitable that at this time there would be a very emotional atmosphere in Nigeria, created by the prospect of Independence on 1st October; but this atmosphere has been greatly intensified by reactions to both the French bomb in the Sahara and to the disorders in the Union. These reactions have without doubt resulted in the growth of racial feeling here—black versus white. Of the two developments, my own opinion is that events in South Africa occasioned the more serious reaction, and in fact diverted some of the animus that was growing against the French.

3. Public protests in the press, in the legislatures and at public meetings about the shooting by the police in the Union were vehement. The Western Regional House of Assembly passed a motion calling upon the Federal Government to repatriate forthwith all white South Africans. In the Federal House of Representatives the Opposition and Government supporters united in calling upon the Government to enact a law forbidding the export to or import from South Africa of merchandise and repeated the demand for the repatriation of white South Africans. At the end of this debate the Federal House passed a motion calling on the Government to 'take appropriate steps to ban the importation of South African goods'; and in the course of the debate, the Federal Minister of Commerce and Industry stated, amid applause, 'From today onwards no white South African will be employed by this Government, nor will any be employed in any of the Corporations or Agencies under the aegis of this Government'. The Government have since interpreted this as meaning no new recruitment; and they have taken no action to ban the importation of South African goods, realising the practical problems imposed by their international obligations. But in view of a sustained press campaign for action, these undertakings could still cause trouble.

4. The shooting at Sharpeville was also the subject of an adjournment debate in the Eastern House of Assembly where the Premier announced that their 'utter condemnation of the South African Government for this inhuman and barbarous slaughter of our fellow Africans' would be conveyed to the Federal Government for transmission to Her Majesty's Government in the U.K. so that the strongest protest might be lodged to the South African Government. In this debate and on other occasions throughout Nigeria doubts have been expressed whether the same Commonwealth could contain both Nigeria and South Africa.

5. In Lagos a 'South Africa Protest Committee' organised a procession on the 27th March and presented a protest to the Prime Minister. Afterwards there was some unruliness when a number of cars driven by Europeans in central Lagos were damaged by sticks and stones—the first sign of any feeling of this kind for a considerable time.

6. In this situation, the Federal Prime Minister and other wise and far-seeing Nigerians have been forced to adopt attitudes that are more violent than their own views dictate in order not to lose influence and prestige with the more emotional elements in their parties. This is, no doubt, the main reason for the forthright comments regarding South Africa's continued Membership of the Commonwealth which were attributed to Abubakar both here and in London; but he and other responsible leaders seem also to have been personally outraged by recent South

African acts. This virtually means that Nigeria and the Union must be regarded already as not on speaking terms, and no early improvement in relations seems likely unless there is any marked change in the South African Government's policies. The Federal Government certainly have no intention at present of opening a High Commissioner's Office in the Union nor in present circumstances is it conceivable that a South African High Commissioner would be made welcome here.

6. I am sending a copy of this letter to Edwin Sykes in the C.R.O., with an extra copy for Greenhill.

527 CO 554/2185, no 8 [May 1960] [Constitutional discussions]: CO report on the London talks

[The May 1960 talks, which involved Tafawa Balewa, Azikiwe and the regional premiers as well as Robertson, were held in the CO and were chaired by Macleod. Awolowo declined to attend, though the AG was represented by Akintola as premier of the Western Region. Following the conference the second reading of the Nigeria Independence Bill, granting Nigeria its independence, was moved in the Commons by Macleod on 15 July.]

I. Introduction

1. At the invitation of the Secretary of State for the Colonies, Mr. Iain Macleod, the Prime Minister of the Federation, the Regional Premiers, the President of the Senate and other Federal and Regional representatives met in London from the 10th May to 19th May for talks with United Kingdom Ministers on outstanding matters connected with the advent of Nigerian independence on the 1st October, 1960. The talks covered points arising on the drafting of the independence constitution, and other subjects referred to below.

II. Membership of the Commonwealth

2. The Secretary of State for the Colonies informed the Nigerian Ministers that the Commonwealth Prime Ministers had, on the 9th May, agreed that when Nigeria became independent she would become a full member of the Commonwealth. The Nigerian Delegations expressed their warm appreciation of this decision.

III. Constitutional matters

3. The meeting considered a draft of the Independence Constitution for the Federation. In so doing they also considered several points of principle relating to the constitution of the individual Regions. Agreement was reached on the way in which decisions of the various Constitutional Conferences would be incorporated in the Constitutions for independence. It was agreed that as regards the provisions relating to the appointment of the Governor-General and the Regional Governors and the powers previously exercised by the Governor-General and the Governors in discretion it would be appropriate in the conditions of independence for the relevant powers to be exercised on the advice of Ministers. It was also agreed that the right of appeal to the Privy Council would be retained after Independence except in the case of election petitions, and that the Federal Legislature of independent Nigeria would be known as Parliament. It was further agreed that where it was not appropriate for previous decisions of the Constitutional Conferences to be incorporated in the Constitution the understandings recorded in the Reports of the Conferences would be recognised as a statement of intent.

4. Further drafting work remains to be done and arrangements were agreed for further consultations in Nigeria as necessary.

5. The meeting was also advised of the provisions proposed to be incorporated in the United Kingdom Bill conferring independence on Nigeria.

IV. *Defence*

6. The Secretary of State for the Colonies and the United Kingdom Minister of Defence had discussions with Nigerian Federal Ministers, the Regional Premiers and the President of the Senate regarding the proposed Defence Agreement which had been first discussed in 1958. The results of these discussions were reported to a plenary meeting. In so doing, the Secretary of State spoke as follows:—

Statement on defence

‘In paragraph 84 of the report of the 1958 Conference one condition, and only one, was specified for the grant of independence to Nigeria and that was that the newly elected Federal Parliament early in 1960 should pass a resolution asking for independence. That resolution was duly passed.

As was recorded in paragraph 83 of the Report of the 1958 Conference, the Federal Prime Minister and the Premiers were then 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. We have now discussed this question in more detail, and have reached complete understanding. Each country will afford the other assistance in mutual defence. The United Kingdom will give Nigeria help in training, equipment and supplies. The United Kingdom and Nigerian Governments will give each other staging facilities for aircraft in their respective territories. The two countries do not seek for this purpose any concession of land but are perfectly content to rely on each others goodwill. I would emphasize that there is no intention of establishing a British base in Nigeria or for that matter in the Cameroons.¹

There remain a number of technical details which require further discussion between officials. It is hoped that this will take place within the next few weeks. The proposed Agreement will then be published and we have agreed that after independence it should be laid before the Federal Parliament. It will not be signed until after independence and will not come into force until ratified by both Governments. In the case of Nigeria this will involve a resolution being passed in both Federal Houses approving its terms.’

7. The Prime Minister of the Federation of Nigeria endorsed this statement.

V. *The Cameroons*

8. There was an exchange of views on the Cameroons under British Trusteeship which, in accordance with the Resolution of the United Nations, would be separated from Nigeria when Nigeria became independent. It was noted that the questions in the plebiscites to be held early in 1961 posed a choice between joining Nigeria or joining the Republic of Cameroun. It was agreed that, if the Southern Cameroons joined Nigeria it would, as stated in paragraph 70 of the 1958 Conference Report, be with the status of a fully self-governing Region equal in all respects with the other

¹ In a debate in the Commons on the outcome of the conference Macleod stressed, ‘there is, of course, no question of establishing a British base in Nigeria’ (*H of C Debates*, vol 623, 19 May 1960, cols 1494–98).

Regions. If the Northern Cameroons joined Nigeria it would form part of the Northern Region with the new Divisions and local Government arrangements introduced on the 1st April, 1960. It was hoped to ascertain from the Government of the Republic of the Cameroun the terms on which the Northern or Southern Cameroons would enter the Republic.

9. It was also noted that the Nigerian military forces at present in the Southern Cameroons would be withdrawn by the 1st October, 1960. The Secretary of State for the Colonies informed the Conference that, should it be necessary for the defence and internal security of the territory, they would be replaced by United Kingdom forces.

VI. *Other matters*

10. On the 16th May Nigerian Ministers also met the Secretary of State for Commonwealth Relations for a discussion on the arrangements for technical assistance after independence. The Nigerian Ministers welcomed the intention of the United Kingdom to provide technical assistance and it was agreed that officials should discuss detailed questions.²

11. On the 17th May Nigeria and United Kingdom Ministers signed an agreement for a Commonwealth Assistance loan of £12m. by the United Kingdom to Nigeria.³ The agreement will operate from the 1st October, 1960.

VII. *Conclusion*

12. The talks concluded on the 19th May with complete agreement on all points.

² See 513. A draft scheme was forwarded to the Nigerian government for consideration in July.

³ See 485.

528 DO 35/10442, 135A

24 May 1960

[Defence agreement]: letter from D W S Hunt to A W Snelling
reporting on the decisions of the London talks

You will have seen the final communique issued at the end of the Nigerian Constitutional Talks which took place in London last week. It was carried on the London Press Service on May 19th with a note that your Information Officer was to bring it to your attention. We shall shortly be sending a brief account, and some assessment, of the talks to all posts by Savingram. Meanwhile, I am writing to you by this bag on two separate aspects of the talks of particular concern to you, that is on what emerged on the subject of the defence of, and the maintenance of law and order in, the British Cameroons after October 1st (on which see my letter NIG.24/38/1 of today) and, in this letter, I deal, for your own information, with the background to that part of the communique which covered the discussions on the Defence Agreement between Nigeria and the United Kingdom.

2. As you will recollect from your time in charge of this Division, in 1958 Heads of Agreement were initialled by the Nigerian Prime Minister and the then Regional Premiers providing for our two Governments to afford one another assistance in mutual defence. These Heads of Agreement were to be expanded into a Defence Agreement. The text of a Draft Agreement was prepared in London earlier this year and taken by the Defence Committee early in March. The upshot was that Mr.

Macmillan sent a personal message to the Federal Prime Minister, referring to their conversations in January, when Abubakar had expressed some alarm about the security of his frontiers after independence, and indicating our willingness to give all possible assistance in maintaining the security of the Federation. The message went on to suggest that it would be desirable to conclude a mutual agreement of the kind adopted in NATO. At the same time, the Governor-General put to his Ministers a Draft Defence Agreement, together with a covering explanatory Note. It was suggested that United Kingdom and Nigerian officials might meet to discuss the draft in detail and that final agreement might be given at the constitutional talks in May. It was also suggested that it would be desirable, from the point of view of ensuring the smooth working of the Defence Agreement, for consideration to be given at a later stage to a detailed 'Status of Forces' Agreement.

3. In fact, as you will be aware, there was a considerable change in the climate of opinion in Nigeria, partly in consequence of the French bomb tests in the Sahara, partly because of developments in South Africa and partly because of the general weakening in some degree of pro-Western and pro-British feeling in Nigeria at the moment which is, I suppose, inevitable in this period immediately before Independence. I daresay that Dr. Nkrumah's various speeches against defence pacts played their part as well. There was a debate in the Nigerian House of Representatives and the main point which arose was that the Federal Prime Minister gave an assurance that the Nigerian Government would not sign a Defence Agreement without consulting the Nigerian Parliament. The upshot of all this was that Nigerian Ministers suggested extensive alterations to the Draft Agreement. Especially they wished to drop clauses relating to the leasing of land to the United Kingdom for a small staging post at Kano which had been suggested in the Heads of Agreement in 1958 and subsequently in the draft that was put to them.

4. This question of the 'British base' became quite a big issue in Nigeria and it was clear by the time of the recent London talks that Nigerian Ministers could not accept an Agreement involving the permanent stationing of a United Kingdom Unit on land leased to the United Kingdom. During the talks Mr. Macleod received a letter from Chief Awolowo, the Leader of the Federal Opposition (the Action Group Party) in which he accused the United Kingdom Government of making Nigerian Independence conditional upon the Defence Agreement, so that there were 'strings' attached to Independence. This despite the fact that the Chief had himself initialled the Heads of Agreement as a Regional Premier in 1958.

5. In view of this situation, the subject of the Defence Agreement was taken first at a private session of the recent London talks attended only by Federal Ministers and Regional Premiers on the Nigerian side and by the Minister of Defence and the Governor-General, as well as the Colonial Secretary and officials, on the United Kingdom side. At this meeting Mr. Macleod emphasised that the only basis for a Defence Agreement was mutual understanding. There are no strings attached to Independence. We did not wish to bargain, nor even to discuss the question of a lease, but would drop it straightaway.

6. The situation now is that the Nigerians have readily agreed to Articles in the Draft Agreement which state:

'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.' And

'The Government of the Federation and the United Kingdom Government each undertake to accord to military aircraft of, and aircraft under the control of, the Armed Forces of the other unrestricted overflying and air staging facilities in the Federation and in the United Kingdom and dependent territories respectively.'

7. There are to be talks between Nigerian and United Kingdom officials in London, probably early next month, to discuss the details of such matters as the loan of United Kingdom Service people to the Nigerians, training facilities in the United Kingdom, the supply of weapons and warships from the United Kingdom, the provision of Service advice and the payment of airport service charges.¹ These talks will also deal with a Status of Forces Agreement which it is at present proposed should be brought into effect as soon as the Defence Agreement is signed, in case it is necessary to meet a Nigerian request to move British troops into Nigeria at short notice.

8. The C.R.O. will be represented at these talks and we shall do our best to get the Nigerians as good terms as possible—always bearing in mind the necessity for observing the principle of equality of treatment with Ghana!

¹ See 532.

529 CO 968/713, no 262

21 June 1960

[Defence]: letter (reply) from Alhaji Sir Abubakar Tafawa Balewa to Mr Macmillan on the revision of the defence agreement

On going through some papers yesterday I came across your letter of March 24 about the question of the defence of the Federation of Nigeria after Independence and I have a feeling that I never actually answered it.¹ If this is so I do most sincerely beg your pardon and ask you to overlook my bad manners. I cannot imagine how this can have happened and there is really no excuse for it but please forgive me.

I hope you will agree that the outcome of our talks in London with Mr. Macleod and your Minister of Defence was satisfactory. For my part I was grateful to you and your colleagues for the realistic way in which you appreciated my difficulties over this matter. As you will know only too well, emotionalism, especially when fostered by the Press, can sweep through a country and make it very difficult for the Government in power to follow the course which is logically the best and which they prefer. However, in our case I think that we have achieved a very good solution because for all normal purposes the United Kingdom will be welcome to use Kano or for that matter Lagos Airport and will be just as secure as if you had a lease of land up in Kano, for in any extraordinary circumstances it would have been well-nigh impossible to guarantee the terms of a lease.

¹ See 514.

Please do not think that I am an alarmist: on the contrary I foresee the happiest of relations between our two countries and I am sure that those relations, by being based on true friendship and goodwill, will be far more secure than if they depended upon written agreements.

Once again I do most sincerely apologise for not having replied to you earlier. I was most grateful for all your kindnesses while I was in London last month and we particularly appreciated the compliment to our country when Lady Dorothy Macmillan attended the Lancaster House Party given for us by your Government.

530 CO 554/2391, no 3

11 July 1960

[Political situation]: despatch no 20 from H A S Johnston¹ to Mr Macleod on political affairs in the Northern Region. *Minute* by C G Eastwood

I have the honour to present a survey of the affairs of the Northern Region as they appear at the present time.

2. The visit of President Tubman has provided an opportunity of gauging the attitude of Northerners towards their neighbours and towards the topical question of whether or not a United States of Africa should be brought into being. Beforehand there appeared to be little public interest in the visit but when the President arrived he was given a friendly reception and reasonably large crowds turned out to see him. In his interview with the Ministers he seems to have had no difficulty in convincing them that his proposals for future co-operation were not only more realistic but in every way better than Dr. Nkrumah's messianic delusions about federation. An argument of his that particularly impressed them was that a Federation would have but one voice in the United Nations whereas individual States could together form a solid African *bloc*. In social intercourse the atmosphere was friendly enough but the remarkable thing was how little the two sides had to say to one another. There was polite interest but little disposition to question, explore, discuss, or attempt to see into one another's minds. Quite apart from other considerations, this in itself suggests that Dr. Tubman's approach to the problem of the future co-operation of African States is the realistic one. The President scouted the idea of the present national leaders being willing to subordinate themselves to one another. In this I am sure that he is right: few if any will voluntarily surrender the perquisites enjoyed by big fish in small ponds.

3. These attitudes of mind have a bearing on the problems facing Nigeria. In considering the future of the Federation we must bear in mind the fact that during the next few years the mere appearance on the world stage of little countries like Upper Volta and Niger is going to arouse jealousies and longings in the breasts of those who are dissatisfied with the limitations of regional status. Another possibility which might have dangerous repercussions is the breaking up of any of the neighbouring States of West Africa, especially if this happened to coincide with an internal crisis. Recent indications show that these risks, though they should not be exaggerated, cannot be altogether ruled out. The Congo is an obvious menace.

¹ Deputy governor, Northern Region, 1960.

Another is the Cameroun Republic where the French High Commissioner recently prophesied that the country would split in two and that the Moslem north would seek assimilation to Nigeria. If anything of the sort were to happen the N.P.C., tempted by visions of an overall majority in Lagos, might press for union, whereas the Action Group and the N.C.N.C., appalled by the prospect of permanent Moslem domination, would undoubtedly oppose it to the bitter end. Clearly such developments could shake the Federation to its very foundations. They are unlikely to be initiated by the Northern leaders, whose attitude to empire-building is at present correct and responsible, but a conjunction of circumstances might bring them about. These latent dangers are mentioned here not because they appear to be imminent but in order to emphasise that even Nigeria, which appears on the face of it to be stable and tranquil, in fact enjoys only a precarious equilibrium which events elsewhere could easily upset.

4. In the Northern Cameroons good progress has been made on the administrative side with the creation of new Native Authorities and Divisions and their fusion into a coherent Province. A nettle which still has to be grasped, however, is the subjugation of the remote and primitive people inhabiting the Alantika mountains who last year refused to pay tax and this year murdered a tax collector. On the political side, the local elections in the Chamba area of Southern Trust Division have resulted in a sweeping victory for the Kamerun Freedom Party, a new ally of the Action Group, which favours union with the Southern Cameroons and the formation within Nigeria of a Cameroons Region. The N.P.C. ran a poor second and the N.K.D.P., which advocates union with the Cameroun Republic, was nowhere. As a political party, the N.K.D.P. went up like a rocket but now seems to be coming down like a stick. For the plebiscite the undertaking which the Regional Government has recently given that the provincial status of the territory will be preserved if it returns to Nigeria should do a lot to improve Nigeria's prospects and on this score the resident is cautiously optimistic. The menace that is worrying him, however, is the danger that the N.K.D.P., when the leaders recognise that they have no hope of succeeding by democratic methods, may resort to intimidation and possibly even terrorism. There has always been a lot of smuggling across this frontier and recently evidence has come in suggesting that gun running has also begun. Other evidence points to the fact that the leaders of the N.K.D.P., having been rebuffed by the Sardauna, Mr. Foncha and M. Ahidjo, have formed an unnatural alliance with the U.P.C. There is a tradition of lawlessness in the Madagali-Michika area where the N.K.D.P. is strongest and it would be easy to recruit there men who would not shrink from violence. In short, there is reason to believe that the N.K.D.P. is in alliance with the U.P.C. and may be planning to introduce arms and perhaps gunmen into Nigeria. These fears may prove to be exaggerated but potentially the danger exists and the Administration and the Nigeria Police are busy trying to uncover the facts.

5. In the Region as a whole there was general satisfaction at the outcome of the recent Constitutional talks in London. The Premier has for some time been apprehensive lest the conclusion of a defence agreement with the United Kingdom and the cession of land should cause Kano Airport to be regarded as a British military base. Consequently Her Majesty's Government's decision to forgo a formal agreement has given him particular satisfaction.

6. In the Federation of Nigeria the prospect of Dr. Azikiwe becoming the next Governor-General is one which Northerners view with some misgiving. The general

feeling among the educated classes, however, is that this appointment is essential in order to cement the coalition Government and that as such the North must make the best of it. There are some who doubt whether the more important Emirs will be prepared to defer to Dr. Azikiwe if he becomes Governor-General but the Premier believes that they will show him due respect.

7. In the Region, Executive Council has at last considered the Newns Report on the organisation of Ministries and the conduct at headquarters of public business. One of the main recommendations in the report was that so far as possible the Premier should be relieved of routine administration so as to have more leisure to concentrate on subjects of primary importance. Because of the Premier's own predilection for keeping certain institutions such as the Regional Development Corporation under his own hand, however, and because of the weakness of the rest of his Ministerial team, this recommendation has gone by the board and the burden on the Premier and the Premier's Office has been increased instead of being diminished. At one time, when it seemed unlikely that there would be a Regional election before the second half of 1961, the Premier contemplated re-shuffling his Cabinet. Since then, however, the Ministers have been considering an early election and this has thrust the idea of a re-shuffle into the background.

8. One of the decisions taken at the recent Constitutional Conference was that the clause limiting the number of chiefs in Executive Council to a maximum of four should be deleted. In seeking this amendment the Premier had two things in mind. First, he has always been very careful to ensure that all parts of the Region are adequately represented in the Government but in the past, with chiefs limited to four, it has been difficult to find room for representatives from both Bornu and the riverain areas. Secondly, he has come to realise that the talents of certain educated and progressive chiefs are wasted in administering small and remote chiefdoms and consequently he is thinking in the future of bringing one or two of this type into the Cabinet and giving them portfolios. There is no question but that a man like the Emir of Yauri would make a far better Minister than all but one or two of the present commoners. These moves should help to reduce the danger of a collision after independence between Chiefs and Ministers.

9. The legal and judicial reforms have been passed by both Houses of the Legislature without any important amendments and without opposition or criticism. There now remains a great deal of preparatory work to be completed before the reforms are introduced on October 1st but this is being vigorously tackled and the auguries are good. A major problem, however, still remains to be decided and that is where the control of native courts will in future lie. At present control and general supervision is exercised by the Attorney-General through the Commissioner for Native Courts who is responsible to him. So long as a British officer remains Attorney-General this power will not be abused but for the future, when an active African politician succeeds, there is an obvious and very real danger that the native courts, which transact well over 90 per cent of the judicial business in the Region, will be exposed to political influences and pressures. Logically control over them should now be transferred from the Attorney-General to the Chief Justice and in so far as they administer Moslem personal law, to the Grand Kadi. Unfortunately, however, the rift between the present Chief Justice and the Regional Ministers precludes this change at the present time but if Sir Algernon Brown were succeeded next year by a man who commanded the confidence of the Government it might then

become feasible. For psychological reasons it would probably be more readily accepted by the Premier and the majority of his Ministers if the new Chief Justice were an Indian or Pakistani and no doubt it would help if he were also Moslem. The chances of introducing this change, which I regard as extremely important, and indeed the success of the reforms as a whole, therefore depend to a large extent upon the choice of the next Chief Justice.

10. In the economic field the Regional Government has at last woken up to the importance of agriculture. Arrangements have been made for a team of 11 international experts to survey all aspects of the agricultural economy of the Region later this year and the Government's plans for future development will no doubt be largely determined by their recommendations.

11. This is all to the good but the problem of finding finance to implement the recommendations will still remain. The Regional Government has followed the lead of the Federal Government in extending the Five-year Plan for 1955–60 by two years. Nevertheless the Ministers' thoughts are beginning to turn to the next Five-year Plan which will run from 1962–67 and they have at last realised that they will have to embark upon it with a kitty which will be almost completely empty. As financiers they have more in common with Mr. Micawber than with Mr. Gladstone and until now they have been sustained by a vague hope that something would turn up. At the same time they are shrewd and realistic politicians and they realise that they will be committing political suicide if they fail to preserve the present economic momentum after independence. No Government, said a recent memorandum of Executive Council, could contemplate this. Before long, therefore, they will set off on a search for funds. If their requests for help are not met in London they will turn to the other Western capitals. At best they will be fortunate and will obtain enough in loans and credits to keep them going. As these loans and credits will mostly be tied to the goods of the creditor nation, however, the United Kingdom will suffer from this arrangement because its exports to Nigeria will be supplanted. At worst the Ministers will be rebuffed in the Western capitals and then they will reluctantly turn to the Soviet Union and the Russian Satellites. In doing so they will doubtless make the usual mistake of under-estimating the dangers and overrating their ability to accept Russian help without falling under Russian control.

12. While the Northern Ministers are slow to worry about finance for future development, they are all fully alive to the backwardness of the Region and united in their determination to advance with the utmost speed. They feel that in every other respect but western education they are better men than Easterners and Westerners and they are resolved never again to let the North be dominated by them. Even in education and modern techniques they contend that, given equal chances, the young Northerner is second to none and the fact that Northern students in British universities recently obtained first class honours in three subjects proves that they are justified in believing that the North has a rich potentiality in brains and ability. Their new determination to advance after years of stagnation is one of the most encouraging things that has happened here during the last two decades and surely deserves every possible assistance. The evolutionary gap between the North and the other Regions is already a cause of instability (which the geographical distribution of oil and the revenue derived from it will aggravate) and so it is not merely the future progress of the Northern Region which is at stake but perhaps the integrity of the Federation itself. In October the Nigerian ship of state will leave harbour and face the

open sea. As she passes between the pier heads with bands playing let us not overlook the fact that she will have a heavy and indeed dangerous list which has been built into her during half a century of British rule.

13. In local government, the Region is facing a problem of great difficulty to which new solutions are now being sought. Past attempts to liberalise Native Authorities by teaming up chiefs and predominantly elected councils tended to lead to deadlock and failure. In retrospect we can see that these experiments were premature. To borrow a parallel from English history, it was as if county councils had been brought into existence 60 years before their time and imposed willy-nilly on Lord Lieutenants who still enjoyed the power and prestige that was theirs when Wellington was Prime Minister. The result here was that some of the chiefs felt no more at home with their elected members than would a true-blue peer who found himself chairman of a county council dominated by radicals and chartists. In Ilorin, where the main issue in local politics was whether or not the Province should secede from the North and join the West, the Emir and his conservative councillors had to run the Emirate with elected members whom they regarded not merely as radicals or chartists but practically as Fenians. It was the failure of the experiment in Ilorin more than anything else that turned the Regional Government against the idea of liberalising native authority councils to the extent of giving them elected majorities. During the past few years this has prompted them to retreat but it would be wrong to suppose that this withdrawal indicates a triumph for reaction. Considering his antecedents, the Premier is in fact surprisingly liberal in his approach and has forced the hand of some of the conservative Northern Native Authorities like Sokoto and Katsina in adding elected members to their councils. Nor does the retreat seem unreasonable when it is remembered that the elected members in Ilorin and other riverain native authorities displayed, while they were in power, a deplorable irresponsibility in the conduct of public affairs. During the past year the Ministry of Local Government has been thinking the problem out afresh and the Minister has recently suggested to Executive Council that a new policy should be adopted based on native authority councils having a minority but not a majority of elected members, on portfolios being entrusted to committees instead of individuals, and on the control of staff being made impartial and impersonal. These proposals are realistic and as liberal as the present temper of Northern society permits and it is to be hoped that the Regional Government will adopt them.

14. In the provinces, the rains have brought the usual lull in political activity and in Benue even the Tiv have simmered down though their underlying problems still remain to be solved. In Zaria, N.E.P.U. have recently broken the peace and wherever they are strong they remain a potential threat to law and order. For the present, however, the most imminent risk seems to come from the Northern and Southern Trust Divisions.

15. During the last session of the Legislature the Chairman of the Public Service Commission, Mr. R.E. Ellison, came under heavy fire and the fact that neither the Premier nor any other Minister spoke in his defence suggests that the criticism was not spontaneous but inspired. The Chairman was appointed on contract in 1958 with the Premier's blessing for a period of five years. Lately, however, the Ministers appear to have changed their minds and to have decided that with independence approaching the time has come to appoint an African. The Premier recently told me that the pressure for the change is strong and that he and his colleagues feel that the

present Chairman should not stand on his legal rights but should offer his resignation. Mr. Ellison knows how things stand and is awaiting the advice of Sir Gawain Bell before deciding what to do.

16. In the Public Service day-to-day relations with Ministers are easier than they were last year and morale has consequently improved. On the long view, however, expatriates are still worried about the future. In the Administration the Northern Assistant District Officers are doing well and at the moment 12 of them are in charge of divisions. The majority are content with their lot but a few have discovered that the work is arduous, exacting, and often thankless and some of these are consequently looking round for easier billets.

17. Among African officials the group described as the 'Young Colonels' has not been very active during the recent months but still constitutes a force to be reckoned with. Most of them have already enjoyed rapid promotion but this excites their appetite instead of satisfying it. Being ambitious and well-informed they realise that the times have brought exceptional opportunities and they are therefore as impatient as bulls trying to make their fortune on a rising market. A typical example is Mallam Baba Gana who, after five years in the Senior Service, is acting as a Senior Assistant Secretary but is already dissatisfied with this status and aspiring to the post of Secretary to the Public Service Commission which carries a rank equivalent to that of a Permanent Secretary. The insidious lure of rank and power makes these officers restive and dissatisfied. The phenomenon noted in the Western Region of African officials taking over from Ministers the struggle for Nigerianisation is already becoming manifest here. To prevent this pressure from building up to dangerous proportions it will be necessary to be generous over the creation of supernumerary posts and the reservation of existing posts for Northerners. The Regional Government has this matter in hand and will soon be submitting proposals to Her Majesty's Government for formal approval in accordance with the terms of the Public Officers Agreement.

18. Among political parties the N.P.C. has succeeded in getting the Bank of the North established but its plan for setting up its own newspaper is still hanging fire. The General Secretary, Abba Habib, has now retired from headquarters in order to become Waziri of Dikwa and he has been succeeded in this key post by the Minister of Health, Alhaji Ahman Pategi. The Minister is a Nupe and this appointment strengthens the already firm hold that the Nupes have on the party and through the party on the Regional and Federal Governments. Alhaji Ahman is able, energetic and unscrupulous and during his tenure of office he is likely to improve efficiency and to pursue a policy no less partisan than his predecessor's. During the last session of the Legislature there were some stormy party meetings in which the parliamentary members concentrated their attack upon the Regional Minister of Finance (Alhaji Aliyu, the Makaman Bida) and the Federal Minister of Lagos Affairs (Alhaji Muhammadu Ribadu) on the ground that they had run the party machine in an arbitrary and high-handed manner and that the Minister of Finance had constantly been guilty of showing his fellow Nupes special favour in the distribution of contracts and other perquisites. There was in fact a good deal of substance in these accusations and the Premier had to intervene to rescue his two lieutenants from the wrath of the rank and file. Since then, however, with a Regional election beginning to loom up on the horizon, the party has begun to close its ranks.

19. Of the Opposition parties, N.E.P.U. is feeling the strain of being indirectly in

alliance with the N.P.C. which the majority of its members regard as their natural enemy. If the N.P.C.–N.C.N.C. coalition in the Federation survives it would not be at all surprising to see N.E.P.U. crack under the strain of divided loyalties and split into two parts with Mallam Aminu Kano taking the moderates into alliance with the N.P.C. and Mallam Lawan Danbazau or Mallam Abubakr Zukogi carrying the extremists into the camp of the Action Group. N.E.P.U. has made no headway in Bornu or the riverain areas and the centre of its strength is still the triangle Kano–Zaria–Kaura Namoda. The Action Group by contrast has lost most of the influence it gained last year in the northerly provinces and even in the riverain areas there are signs that its ally the U.M.B.C. is chafing under the tight control that headquarters at Ibadan tries to impose upon it. The U.M.B.C. itself is still strong in Benue, Plateau and Adamawa Provinces but has nevertheless lost three members of the House of Assembly by defection to the N.P.C.

20. Among personalities, the Premier continues to dominate the stage. In spite of the extraordinarily exacting life that he leads he has kept fairly fit and seems to be more relaxed and confident than he was last year. This is probably because he is once again in complete command and has divided and subdued those of his colleagues who combined last year in an effort to impose their will upon him. As a politician and personality, he stands head and shoulders above the rest and, except occasionally when his pride is touched, he continues to comport himself in a responsible and statesmanlike way. His pride, however, is one of his two main weaknesses and it sometimes warps his judgment. For example, because the people of the Northern Cameroons spurned the Northern Region in the plebiscite last year, he refused afterwards to make any attempt to woo them back. Similarly, though he realises better than any of the other Ministers how badly the North needs external aid, his pride prevents him from appearing in the role of a suppliant and he therefore leaves negotiation in other less able hands. If pride is his weakness, his Achilles heel is undoubtedly extravagance and this might one day bring about his downfall. He has a taste for princely generosity which he recklessly indulges. For the future, though addicted to power, he regards the hurly-burly of democratic politics with such aristocratic distaste that when Sir Gawain's term comes to an end he may well put himself forward as the next Governor of the Region. There are hardly more than three Northerners who would be acceptable in this office (the other two being the Emirs of Gwandu and Katsina) and of the three the Premier would probably be the most effective, though perhaps the least constitutional.

21. In recent weeks relations between the Premier and the Prime Minister have again come under strain. As politics in Nigeria turn on personalities much more than on principles, it is worth describing in some detail the nature and causes of their disagreements although doing so means going back a long way. When Shehu dan Fodio died he divided the empire between his son Bello and his brother Abdullahi who thenceforward ruled the two parts without interfering in one another's affairs. I believe that the Premier considers that he and the Prime Minister should adopt a similar arrangement and that he himself, though he may not always live up to his own standards, does try to manage things in this way. The Prime Minister, however, though in general he may be equally or even more forbearing, has on occasions intervened in regional affairs and as often as not it has been these interventions which have caused trouble. A recent example was his opposition to giving any undertaking that the provincial status of Trust Territory would be preserved if the

people of the Northern Cameroons voted for a return to Nigeria. Another was his rejection of the proposal which the Premier and his colleagues had already agreed upon that the upper limit on the number of chiefs in Executive Council should be removed. This produced an incident in London which illustrates the curious relationship which exists between them. The Prime Minister, perhaps not realising how far the Premier was personally involved, argued in his presence that the move was a retrograde one and that the paper which the party proposed to submit to the Conference should be withdrawn. As the Premier said nothing and the other Regional Ministers did not press the argument, it appeared that the Prime Minister had carried his point. Afterwards, however, the Premier directed that the Prime Minister's objections were to be ignored and that the paper was to be submitted. In June one or two tussles of this nature had already produced tension between the two when news of the proposed financial deal with Israel came through. The Premier, recently returned from Saudi Arabia where he had been treated with special consideration by the King and the Amir Faisal, was outraged and refused to believe the Prime Minister's protestations that he was not privy to the negotiations. In the heat of his anger he said 'the Prime Minister must remember that we put him where he is and that we can remove him'. For a week there was no communication between the two but at last sharp, though not offensive, letters were exchanged. The quarrel was gradually patched up and by the time that the Premier left for England relations appeared on the surface to have been restored. In his calmer moments, of course, the Premier realises that the Prime Minister has qualities that are complementary to his own and that each needs the other.

22. The standing in the North of the Prime Minister himself is difficult to define. Some of the chiefs like to regard him merely as a useful instrument for the exercise of Northern control over the Federation. They do not forget his humble origins and will probably resent it if he is elevated so high that he begins to cast his shadow over them. Similarly among some of the influential commoners of the older generation there is a feeling that the deference paid to the Prime Minister in Lagos has made him proud and even arrogant. His reluctance in granting interviews has probably contributed to this impression and certainly the Waziri of Bornu was recently heard to say that the Prime Minister had become so pompous that he would see nobody. It is only among the younger men, and particularly those with radical or progressive ideas, that the Prime Minister commands a loyal and devoted following. Even here he has his critics but it is where his chief strength lies. In the nature of things the asset should be a growing and not a wasting one. Among the older men the opposition is largely based on snobbishness or jealousy and need not be taken too seriously but it would nevertheless pay the Prime Minister to cultivate these people with more care and tact.

23. The stock of the Makaman Bida, after the attacks upon him in April, appeared to have fallen very low. He is a consummate politician, however, and in three months he has re-established his position. This has now been consolidated by the appointment of the Minister of Health, who has long been the Makama's lieutenant, as General Secretary of the N.P.C. Politically, the Makama is as astute as ever but physically he is beginning to show signs of age and occasionally of premature senility. Unlike the Makama, Alhaji Muhammadu Ribadu has not yet succeeded in returning to favour but he too is a most astute politician and it will be surprising if he does not do so before the end of the year.

24. If the Premier were to retire from politics the Makama and Alhaji Muhammadu Ribadu are next in line of succession but it is unlikely that either of them would be accepted by the party or the chiefs. After them comes Alhaji Isa Kaita, the Minister of Education, but he too probably lacks the personality and following that a leader must have. My belief is that if the post fell vacant during the next two or three years there would be a demand for Shettima Kashim, the Waziri of Bornu, to return to regional politics and lead the North.

25. By way of conclusion, let me touch on the subject of relation between Africans and Europeans in this Region. In the past there was a belief that Northerners were so gentlemanly that it required no particular tact or skill to get on well with them. During the last few years, however, they have shown that when thwarted or mishandled they can be as suspicious, touchy, prejudiced, deceitful, and downright offensive as African nationalists anywhere. A remark recently made by the American Consul is therefore worth recording. After a farewell party for the Premier he said that he had been enormously impressed by the relationship between the Ministers and the British Administrative Officers who were their Permanent Secretaries and that he wondered whether any comparable bond existed anywhere else in the world. Coming from a American of Irish extraction, born and brought up in the mid-West, this is a remarkable tribute.

Minute on 530

Sir John Martin

I find Mr. Johnston's 'chatty despatch' at No. (3) particularly interesting, and incidentally well written. (It is sad that his services are to be lost to the country on the 1st October). The subsequent letters at Nos. (4) and (5) are also of great interest.

2. I am arranging for No. (3) to be printed and given the usual circulation.

3. The contacts being established between the Northern Region leaders and the leaders in Niger and Tchad are interesting, understandable, indeed natural, but possibly sinister in their implications for the future of Nigeria since the addition of either territory to Nigeria would completely upset the balance of forces in Nigeria. It would make the Moslem element predominant and so might very well seriously imperil Nigerian unity.

Niger is in process of becoming an independent member of the French Community (and of the United Nations) but in association with Dahomey, the Ivory Coast and Upper Volta (the 'Entente'). This Entente is not all that close and it is not at all beyond the bounds of conceivability that Niger should want to join with Nigeria. They have a very long common frontier and a great part of their exports (groundnuts) and imports flows through Nigeria though the French are always trying to direct them through Dahomey. There are also close family and religious links across the frontier.

4. Tchad is seeking independence as part of the 'U.R.A.C.' (Union des Republiques de l'Afrique Centrale) consisting of the three territories of Tchad, Central Africa (formerly Ubangi-Shari) and (French) Congo. All these three territories are deficit territories and it is hard to see how they can make a go of it. At the same time, geographically the common frontier with Nigeria is very small although quite a large proportion of their imports and exports pass through Nigeria

via Maiduguri and it is largely to maintain and encourage this trade that the Northern extension of the railway to Maiduguri is being made. The dynastic and family ties are much less than in the case of the Niger and I would think the prospect of Tchad wanting to join with Nigeria more remote than in the case of Niger.

5. On paragraph 9 of the despatch, we have asked the C.R.O. to make confidential enquiries in Pakistan to see whether there is anyone there who might be suitable as a Chief Justice to succeed Sir Algernon Brown when he retires next year.

6. The problem of finance for future development, dealt with in paragraphs 10 to 12, is a serious one. The Sardauna has of course been touting for help during his recent visit to the United States: with what success remains to be seen. Much of the money is really required for the basic 'infrastructure' of Government services such as roads, education, etc., and this is perhaps hardly likely to appeal greatly to private investors.

7. Para. 20 about the Sardauna's character and the succession to Sir Gawain Bell as Governor is particularly interesting. So are paragraphs 21 and 22 about the relations between the Premier and the Prime Minister, a matter of great importance for the future of Nigeria.

8. Para. 24 about the succession to the Premier if he became Governor or retired from politics is also interesting. I should have thought that the Makaman Bida was probably too old to succeed. Like Mr. Burr I shudder at the possibility of Ribadu succeeding—I regard him as a very sinister figure. I have always liked Isa Kaita though he has the reputation of being something of a snake in the grass. I have the highest opinion of Shettima Kashim and it is an interesting thought, if rather surprising, that he might return to lead the country—surprising because he is a Kanuri from Bornu and I should not have thought he would have been generally acceptable. But he is a man of strong character and much wisdom. He was (I think I am right in saying) Deputy Speaker of the Region House but gave up the job to return to Bornu to be the effective runner of that province, the Shehu being too old to cope. Shettima Kashim has remained Chairman of the Board of the Nigerian College of Arts, Science and Technology in which capacity he has had unexpected difficulties to face and done so very well.

9. The North, it seems, is hardly more immune from the growing pains of African nationalism than other parts of Africa—see Mr. Johnston's statement in paragraph 25 that the Northerners when thwarted or mishandled have shown that they can be 'as suspicious, touchy, prejudiced, deceitful and downright offensive as African nationalists anywhere'. The fact that the Northern 'Giant in the Sun' is only now really waking from his slumbers inevitably means that there is something of a question mark over the future of this part of Africa.

10. I have sent a private line to Mr. Johnston thanking him for his despatch and letter at No. (4) (secret and personal correspondence between us is now supposed to have stopped). When printed copies of No. (3) are available copies should be sent with copies of Nos. (4) and (5) to Mr. Hunt at the C.R.O. and Mr. Boothby at the Foreign Office as Mr. Emanuel suggests, and it should be suggested to Mr. Boothby that he should send a copy of No. (4) to Mr. Watson in Dakar, the Governor-General already having sent him a copy of No. (5): No. (3) will no doubt get to him automatically.

C.G.E.
29.7.60

531 CO 554/2391, no 5

18 July 1960

[Political situation]: letter from Sir J Robertson to A Emanuel on Northern Region relations with Niger and Chad

Will you refer to Johnston's letter 501/S.1/32 of the 14th July to Eastwood about the recent tendency of Northern leaders to show an increasing interest in their former French neighbours.

I attach a copy of the Special Branch report about the visit of the delegation from Tchad to which Johnston referred.¹ I took the occasion the other day to ask Abubakar whether he knew anything of these Northern moves and he told me that he had heard nothing of the talks in Maiduguri, but that he was informed of the visit to Niamey to which Johnston refers in para. 2 of his letter. He said that that was no more than a goodwill mission.

I have, of course, been aware that for some time Northern links with Niger have been pretty close and the Sardauna has certainly said on one occasion that Niger's accession to the North was there for the taking but there was no advantage to the North in it. The Tchad overtures seem to be a fresh venture and this, together with the revival of 'goodwill' to the Niger, has made me wonder whether the North are not seriously thinking of some re-alignment in the new shape which this part of the world is taking on, at least as a form of insurance if they find the present non-Muslim marriage within Nigeria an increasingly unhappy one. As you are aware the news of the Federal Minister of Finance's provisional arrangements with the Israelis for a loan produced great emotional heat in Kaduna, and I have seen the very abrupt letter which the Sardauna wrote to Abubakar at the time.² It amounted to a real 'tick-off', and got a very well-phrased and unrepentant reply explaining the difficulties of running the Federation, and that the East and West already had important and close contacts with Israel. I understand that subsequently when the Prime Minister visited Kaduna the Sardauna was a bit shamefaced about the whole thing and claimed that he had not himself wished to write in such terms but that his hand had been forced by some of his colleagues. I am also informed that the Northern Minister of Finance did not at all share the aversion to the Israeli loan, and that one or two other Northern Ministers agreed with him in this respect.

But the fact does remain, as Johnston pointed out in his letter, and also in his despatch of the 11th July,³ that the North may be thinking of taking out an insurance policy. If there could be a large accession to the Federation by the inclusion of either or both of the two French territories then the hitherto monolithic North would

¹ Not printed. Special Branch reported that on 20 June a meeting took place in Maiduguri between the Sardauna, Shettima Kashim, and other leading NPC members, including Alhaji Waziri Ibrahim, the Federal minister of health, and the Chad deputy premier to discuss a possible merger between Chad and Northern Nigeria. The view of Johnston was that 'Provided that they continue to prosper in the Federation, I still do not think that the leaders of the NPC will take the initiative in mergers with either Tchad or Niger. The present moves are more likely to be a form of insurance in case things go badly wrong in Nigeria . . . if the prospects within Nigeria appeared to be either hopeless or unendurable, the Premier and his friends would have little compunction in pursuing these aims regardless of the danger to the integrity of the Federation' (CO 554/2391, no 4, letter from Johnston to C G Eastwood, 14 July 1960).

² In June 1960 it was announced that agreement had been reached on a £3 million Israeli loan to the Nigerian government. The Sardauna dissociated the Northern Region from the loan.

³ See 530.

completely swamp the Federation and Northern control would be a permanent certainty. Alternatively the North may have it in mind that a threat of secession by them from the Federation in its present form might carry more weight in bringing the South to heel if a Northern (and Muslim) federation with Tchad and Niger was on the stocks.

I am sending a copy of this to Sir Gawain Bell, and to Adam Watson, H.M.'s Ambassador at Dakar.

532 DO 35/10442, no 162 18–19 July 1960
 [Defence agreement]: minutes by Lord Home and D W S Hunt

The terms of the Defence Agreement with the Nigerian Government have now been settled. It will not be signed, however, until after Nigeria becomes independent and then only after it has been approved by the Federal Parliament. The Agreement is valuable to us, even though some of the items we originally wanted to see in it have been dropped by mutual agreement. At any rate it would be a very severe blow to our future relations with Nigeria, which in general look hopeful, if the Federal Parliament voted against the Agreement.

2. The Agreement provides for mutual assistance on defence matters. The Nigerians have made it plain that they hope that this will cover the cost of our seconded officers, the cost of training their own people in Britain and either a free gift of equipment (ships, guns and so on) or easy terms of purchase.¹ They have been given no encouragement. I know it would be particularly dangerous to start making free gifts of arms, or even offering easy terms. Nigerian Ministers, who are sensible people, can be brought to see this. Nevertheless they may well point to what we do in Libya, where we have a Defence Agreement with the Government and pay them £3,250,000 a year as 'budgetary aid'.

3. I think the danger is real that the Nigerian Parliament, feeling its oats, may make a lot of trouble over the Defence Agreement unless their government can point to tangible benefits flowing from the defence connexion with the United Kingdom. If we could meet their wishes over the pay of seconded officers and of Nigerian trainees it would go a long way. But I think something by way of grant might also prove necessary; it would have to be not too closely associated with the supply of equipment to create a precedent for others but at the same time to be capable of being considered in Nigeria as available for the equipment of their forces.

4. If you agree in principle I will have the question examined urgently by officials from my department, the Treasury, the Service departments and the Colonial Office. The aim would be to make proposals as to the minimum we can get away with if we are to ensure the ratification of the Agreement.

5. I am sending copies of this minute to the Chancellor of the Exchequer, Foreign Secretary, Colonial Secretary, Minister of Defence and the three Service Ministers.²

H.

18.7.60

¹ See 536.

² In reply at the end of this minute, Macmillan wrote: 'I agree with this, especially Para. 4. Let us have proposals and their cost.'

On the 18th July the then Secretary of State addressed to the Prime Minister the minute at (162) proposing that we should make some offer of assistance to Nigeria which would commend to the Nigerian Parliament the passage of the United Kingdom–Nigeria Defence Agreement. The Prime Minister replied agreeing that there should be urgent inter-departmental consultation and asking for proposals and their cost.

2. We have had two meetings on the subject with representatives of all the Departments concerned. Both the Colonial Office and the Governor-General of Nigeria took the view that we were being too pessimistic. They thought that the Defence Agreement would certainly go through without trouble, and without our having to produce any special inducement. I am afraid I am not convinced. Even if the motion for the Agreement is carried, much damage might be done to our relations with Nigeria if the tone of the debate is hostile, or the majority small. However, we here are not in a position to contest too strongly this Colonial Office view, one which was naturally very welcome to the Treasury.

3. The Governor-General, in his telegram No. 157 does recommend that we should offer to the Nigerians:—

- (a) to pay for military training in this country;
- (b) to meet the cost of seconded servicemen in Nigeria.

After a final round of discussions the proposal at (a) has been agreed with the concurrence of the Treasury. The second proposal has wider repercussions. The Treasury are willing that it should be considered as a general proposal, not one specific to Nigeria.

4. We can now therefore reply to the Prime Minister. I attach a draft minute. In view of the Secretary of State's recent instructions, I have made the minute itself brief, but I think it is important that the reasons for our proposal and the financial and other implications should be set out more at large and I propose accordingly that the minute should cover a note by officials. The terms of this note have been agreed with all the Departments concerned.

D.W.S.H.
19.7.60

533 CO 968/713

22 July 1960

[Defence agreement]: minute by A Emanuel on the revised terms of the defence agreement

[It had been agreed at the May 1960 conference (see 527, 528) that the proposed Anglo–Nigerian defence pact would not, as originally initialled in 1958, include a British enclave in Northern Nigeria but would instead concentrate on mutual assistance and British aid in the training of Nigerian officers and troops; it would include provision for staging and over-flying rights for the RAF, subject to prior consultation with the Nigerian government. It was also agreed that the pact would have to be approved by the Nigerian legislature after independence. It was to facilitate this that proposals to meet Nigerian training costs in the UK were drawn up (see 536) and approved by the Treasury. The Nigerian Council of Ministers agreed to the revised proposals in Sept. However, although the Nigerian legislature approved the pact in Oct, considerable public opposition to it continued within Nigeria, with Awolowo (who had initialled the 1958 proposal) describing it as ‘an attempt to swindle this country out of its sovereignty’.

Further criticism came from Nkrumah. In the face of growing public hostility, in early 1962 the pact was abrogated, though military aid continued as before and British officers continued to serve in the Nigerian army.]

Sir J. Martin

Please see the minute by Lord Home to the Prime Minister at (278) and the latter's reply at (279)¹ and the minutes of 20th and 21st July opposite.

2. You will recall that it was agreed at the May talks between the Secretary of State and Nigerian Ministers of which the relevant record is on page 8 of (196) on Part C (flagged) that Abubakar quite clearly accepted the principle that the Defence Agreement was not a means of giving special financial aid to Nigeria. As agreed at the May talks however arrangements were made for further talks at the official level to determine the nature and extent of the (military) assistance required by the Nigerian forces and the extent to which it would be possible for H.M.G. to provide this assistance within the terms of the draft Agreement. These talks were held in June and on the Nigerian side were led by the British General commanding the Nigerian forces, General Foster. He was assisted by Mr. Roberts, an expatriate official who is Permanent Secretary to the embryo Ministry of Defence, and by Mr. Amachree, the African Solicitor-General. The discussion on this matter is recorded in Part IV of the meeting on 9th June, see minutes flagged below (243), and the Nigerian delegation then submitted their memorandum, at (259). The minutes are fairly cautiously worded but I was present at the talks and took part in the discussion on this particular matter. I have no hesitation in saying that General Foster urged the necessity of substantial financial assistance towards Nigerian forces to an extent which cannot be reconciled with Abubakar's acceptance of the principle that Nigeria should not be given exceptional treatment. General Foster's motives were undoubtedly worthy, as he clearly felt very strongly that despite what Abubakar had said the realities of the Nigerian situation were such that unless we did give substantial financial assistance towards building up the forces there was considerable danger that the Defence Agreement would not in fact go through. Nonetheless we had good reason to believe that he was not acting on any specific instructions from the Prime Minister (evidence of this is that he also stated categorically that the word 'unrestricted' would not be acceptable, though this had been agreed by Abubakar, and when he sought instructions from his Government he was told that what was decided in May should stand—see 239, 240 and 246). I for one could not therefore fail to get the impression that General Foster was challenging the political judgement of Abubakar and I felt that while General Foster's enthusiasm for the Nigerian cause was praise-worthy our Ministers would be entitled to rely on Abubakar's political judgement as to the acceptability of the Agreement to the Nigerian legislature rather than on General Foster's.

3. Subsequently to the Official talks it was agreed that UK officials should meet further to discuss the points raised in the Nigerian memorandum before submitting papers to Ministers. For some reason best known to themselves, however, the C.R.O. officials appear to have submitted the matter to their Minister before the proposed interdepartmental discussion took place. As a result Lord Home has sent his minute to the Prime Minister, at (278), and the Prime Minister has agreed in principle and asked for proposals and their cost.

¹ See 532.

4. Following the minutes opposite I attended the meeting which was then called yesterday by the C.R.O. In view of the doubts which are expressed in those minutes and the fact that we have had no directions from the Secretary of State I reserved his position entirely. At the same time I expressed the view that it would be wrong for H.M.G. to assume that the passage of the Defence Agreement was in fact dependent on the acceptance by H.M.G. of a new condition about financial assistance which was expressly contrary to the talks between the Secretary of State, the Minister of Defence, and Abubakar (Lord Home did not take part in those talks). A note on yesterday's meeting will be circulated but certain points were made which might be mentioned here. Firstly, the Ministry of Defence pointed out that the United Kingdom's real interest in the Agreement had very much declined since what we were mainly getting out of it was unrestricted overflying rights, the value of which had been diminished by the loss of on-flying rights over the Belgian Congo. Moreover the understanding with Nigerian Ministers that the U.K. would not exercise unrestricted overflying rights in a way which might embarrass Nigeria itself lessened the value of the Agreement to the United Kingdom. Therefore from a purely military point of view it could be doubted whether there was a case for H.M.G. paying heavily to get the Agreement through. Needless to say the Treasury saw very considerable difficulty in H.M.G. providing any form of grant assistance (as suggested by Lord Home) having regard to the present strains on our economy and to the very considerable dangers of repercussions elsewhere in the Commonwealth once we gave Nigeria exceptional treatment. The C.R.O. rightly pointed out that even if the Agreement was not of great military value to us, it would be a poor start to our relations with independent Nigeria politically if an Agreement which both governments had said they intended to make was not in fact signed. It was recognised however that this was a political matter and only Ministers could decide how big a price should be paid in order, not so much to secure the military benefits of the Agreement, but to avoid an unfortunate rebuff. It was also pointed out that Nigeria was very much under-equipped in the military field and if she is to play her full part in African affairs she will need considerable help to expand her forces.

5. The meeting went through the Nigerian memorandum and it was agreed that a paper would be prepared as quickly as possible setting out the cost of the various forms of assistance. It looked, from the discussion, as if it might not be too heavy a burden for the U.K. to pay the cost of training posts in this country and the 'expatriation' element in the pay of British personnel. (This latter point led to some discussion of the fact that consideration was being given by H.M.G. to paying the expatriation element in the salaries of overseas Civil Servants, and the Treasury took the view that even if this policy were adopted by Ministers it would not necessarily apply to military personnel.) It was also suggested that there might be some political objections to the U.K. paying salaries of British personnel in the forces, since critics might then argue that they had divided loyalties. It was apparent also from the discussion that if we endeavoured to meet the cost of equipping Nigerian forces a very heavy bill would be involved and the Treasury was adamant in saying that this was just not on.

6. A paper will therefore be prepared for submission to Ministers. The meeting agreed however that it would be right to seek the advice of the Governor-General on the main question, namely whether despite what Abubakar said in May we shall have to pay a large bill in order to get the Agreement through. I may say that my own

personal view is that, in the light of the record of the discussion (I was not myself present at it and can therefore only rely on the record) if the Nigerians were to make any such condition it would suggest that their Agreements are not worth anything at all and I refuse to believe this, at least about Abubakar, though I am fully aware of the pressures by other Nigerian Ministers to seek financial aid from the United Kingdom and if this is not forthcoming to seek from sources which we would regard as objectionable.

7. If the Secretary of State considered that despite what was said by Abubakar the line in Lord Home's minute should be accepted here and now, there is perhaps no need to consult the Governor-General. But very large sums of money would be involved if we tried to meet anything like the requirements set out in the Nigerian officials' memorandum and I suggest that it is reasonable in these circumstances to ascertain from the Governor-General whether it is in fact necessary to 'bribe' Nigeria into signing the Agreement.

8. If his answer does not wholly support this view (he is, however, bound I think to say that financial assistance is desired) my own view would be that we should not treat the Officials' memorandum as a formal request for H.M.G. to meet all the requirements and that we should not enter into long explanations with Nigeria as to why we cannot give exceptional treatment. Instead we should give a short reply pointing out just what assistance we can give within the normal policy and saying that the question of financial assistance in general is a separate matter which falls outside the scope of the Defence Agreement. We should go on to repeat what I think Ministers have often said, namely, that after independence H.M.G. will always be ready to consider any approaches that might be made by the Nigerian Government on general financial matters in the spirit of friendship and general goodwill which has marked our relation (the exact text will have to be, of course, cleared interdepartmentally).

9. I now submit a draft telegram to the Governor-General which I suggest should go as from the Secretary of State.

10. I am sending a copy of this minute to Mr. Eastwood who will be back on Monday and who may have had some discussion on this matter while in Lagos.

534 CO 554/2182, no 94

25 July 1960

**'Resumed constitutional discussions in Lagos on 19 and 20 July 1960':
report by C G Eastwood**

[Although the London conference of May 1960 is usually taken as the final discussion concerning Nigeria's independence, further constitutional talks involving representatives of the two governments, chaired by Robertson, were held in Lagos on 19 and 20 July. Involved in the talks were Eastwood and Rushford from the CO and Nigerian ministers and politicians; Tafawa Balewa, Awolowo, Azikiwe and the Sardauna were not present. These were largely technical discussions mainly concerned with the legal details of the independence constitution. The resulting Nigeria (Constitution) Order in Council 1960 was laid before Parliament on 16 Sept 1960.]

The discussions took place under the Chairmanship of the Governor-General. The Sardauna was, of course, not present, being in the United States, nor was Dr.

Azikiwe. Chief Akintola, who was obviously much preoccupied with his forthcoming Regional election, was only able to be present at the first session which discussed the Federal Constitution.¹ With these important exceptions, the party was much the same as at the London discussions.

2. As the Governor-General has said in his despatch, the discussions took place in a general atmosphere of great amity. There was the usual backchat between Chief Festus and the Action Group representatives, but it was all very good-tempered. The only point on which the discussion was at all heated, and then only on the part of Chief Festus, was on the question of minority areas—see below.

3. The plenary meetings had been preceded by meetings of the Legal Committee which lasted over four or five days, and at the plenary sessions we had before us the reports of the Legal Committee, and these and the discussion of the draft Constitutions in effect formed our agenda. The excellent work done by the Legal Committee undoubtedly greatly expedited the task of the plenary sessions, though there were still quite a number of tedious legal points brought up.

4. On the Federal Constitution really only one point of substance arose, all the others having been ironed out in London. The point of substance was related to the income tax provision (Section 70). On this the Legal Committee had produced a draft which seemed to me and to most of the conference to meet the needs of the situation admirably. There was, however, considerable argument on behalf of the Regions—started by the Eastern Region—to the effect that public corporations (such as the Regional Development Corporations) should not be liable to income tax on profits from any trade or business which they carried on; or alternatively, if they were liable to tax in respect of such profits, that it should accrue to the Regions and not to the Federal Government. This was steadily resisted by Chief Festus and called forth an interesting show of unanimity by all the Federal Ministers, led by the Prime Minister. They held, and obviously rightly, that this would be a marked departure from the Raisman formula and would also put the corporations in a position to compete unfairly with private enterprise. The proposal was duly turned down and the income tax section proposed by the Legal Committee accepted.

5. I should mention one other point, raised by Chief Rotimi Williams. The procedure for amending both the entrenched and ordinary clauses of the Federal and Regional Constitutions is laid down in Sections 4 and 5 of the draft Federal Constitution. Chief Williams suggested that the procedure for altering these two particular sections should be even more deeply entrenched and that any amendment should require the consent of the Legislative Houses of all three Regions as well as of the Federation. This proposal evoked no very positive response from anybody else, and the Prime Minister thought it unnecessary. It was therefore not pursued.

6. More points of substance arose on the Regional Constitutions. These were, of course, being considered for the first time.

7. The draft of each Regional Constitution provides that the Governor should be appointed by the Queen and that the Premier, before tendering advice to Her Majesty, should consult the Prime Minister of the Federation. The draft did not provide, as had been agreed in the meeting between Mr. Lennox-Boyd, the Prime

¹ Elections to the Western Region House of Assembly, designed at least partly to strengthen the hand of the AG in the region against the Federal government after independence, were held on 8 Aug 1960; the AG won an overwhelming majority.

Minister and Regional Premiers in Lagos in May, 1959, that the advice of the Queen should be transmitted through the Governor-General. Before the meeting I had had a talk with the Governor-General and Mr. Rushford about this. Mr. Rushford, who was aware of the point, considered that this was not a matter which need or should be written into the Constitution, but the Governor-General and I thought it well that attention should be called at the plenary session to the decision taken last year. We accordingly did so. The Prime Minister had forgotten that this had been the decision. The point was, of course, new to the rest of the meeting and Chief Rotimi Williams and others were inclined to doubt whether the decision was right. On our reading an extract from the minutes of the meeting of 25th May, 1959, the Prime Minister agreed that the decision must have been what we said. The point was not pursued and the draft minutes recorded that 'the meeting accepted that decision'. However, a smaller meeting the following day to approve the minutes did not agree that this was the decision and amended it to read:—

'The meeting considered that it would be preferable that the Regional Premiers should send their recommendations direct to the Queen, keeping the Governor-General informed. The Governor-General stated that he would have to inform the Secretary of State of this change of view.'

I subsequently undertook with the Governor-General to take the initiative in having the point looked into again in London. I am not sure how much real importance there is in it (I suspect very little) and, even if there is, I find it difficult to see how we can ensure that it is observed.

8. An attempt was made by the West, supported by the North, to get removed from the Constitution the provision that the Chairman of the Federal Electoral Commission should be the Chairman of their Regional Commissions. The East said that this would be a major departure from an agreed decision of the 1958 conference. The Governor-General, the Prime Minister and I supported this view and the proposal was dropped.

9. None of the drafts made any provision comparable to that in the present Constitution giving the Governor-General and Governors control over the appointment of their own personal staff and making their salaries not liable to debate in the Legislature. After some discussion it was agreed that, in future, appointments should be made by the Federal Public Service Commission but subject to the Governor-General's or Governors' approval.

10. Dr. Okpara had with him a memorandum which seemed to have been agreed by all the present Commissioners for the Regions in London, saying that they disliked the term 'Agent-General' which it was suggested should be used for them after Independence (Section 65 of the draft Western Constitution). Dr. Okpara supported them strongly and the meeting spent quite a long time discussing various other suggestions put forward, most of which were obviously hopelessly unsuitable, such as Consul or Minister-Resident. Eventually, after a break for coffee, and after the Governor-General and I had pointed out that both Australia and Canada, the only other Federations within the Commonwealth which were at all comparable, had Agents-General, everyone agreed to accept this term.

11. There was much discussion on Section 73 of the Western draft. This provided that 'the Governor may declare any area within the Region to be a Minority Area' and that there should then be a Minority Council for the area, composed of members of

the legislative bodies coming from that area. There is a comparable provision in the Eastern draft. The 1958 Conference agreed that a Minority Area should be created in the Western Region, consisting of the Benin and Delta Provinces, with certain possible exclusions, and that in the Eastern Region the former Province of Calabar should also be made a Minority Area, again with the possible exclusion of certain areas. The draft Constitutions made no reference to these two areas and did not make the establishment of any Minority Areas and Minority Councils mandatory, and the question was whether the drafts went far enough. Chief Festus, who himself comes from the Mid-West, argued strongly that the Constitution should make the setting up of a Mid-West Council mandatory, and undoubtedly to have done this, and correspondingly for Calabar in the East, would have been more in conformity with the 1958 decisions. But there were practical reasons for not doing so. In the East the old Calabar Province has now been split up into three provinces, each of which now has, or is to have, a Provincial Assembly of its own, and it really seems rather pointless to attempt to superimpose another Assembly which could only be some sort of amalgamation of the three Provincial Assemblies. If one did not make the establishment of a Minority Area and Council mandatory in the East, one could not reasonably seek to make it mandatory in the West.

12. The Governor-General is firmly of the opinion that the whole question is, in his words, 'a dead duck'. He thinks that the minority question was very much worked up for political purposes and that now it has died down almost entirely, and the Prime Minister agrees with him, and I have the same hunch. It is notable, for instance, that since it was decided that Ilorin should remain in the Northern Region, that has been completely accepted and nothing more has been heard of that once burning question. To make the setting up of a Minority Area and Council in the Mid-West mandatory would only prolong a probably dying agitation and might well not be in the long-term interests of Nigeria. With all this in mind I kept silent during the discussion, though not without some heartsearching.

13. Chief Festus argued his point very forcibly and the East supported him to the extent of saying that, if a Minority Area and Council were made mandatory for the Mid-West, they would be content that it should be made mandatory for the East. He also received a little support, I think, from the North and it seemed at one moment as if he had gained his point. At this moment, however, he suddenly and very surprisingly said that he did not want to press the point after all. He was sitting next to the Prime Minister, and the Prime Minister had been urging him strongly in this sense. The Sections of the two Constitutions therefore stand as drafted.

14. I do not think we need be unduly worried at this conclusion even though it probably means that no minority areas will in fact be established, but I have thought it well to set out fairly fully what happened and the considerations which guided me in not intervening in the debate. There is, of course, already a Mid-West Council of a sort, established by the Action Group Government, though Festus would argue that it is not properly representative of the minorities or given adequate powers.

15. None of the Regional Constitutions made provision for the appointment of a Deputy Governor. The meeting agreed that optional provision should be inserted in the Eastern and Western Constitutions under which the Governor, acting on the advice of the Premier, might appoint a Deputy Governor. The North did not want this. I rather wonder whether they were well advised. Even though they do not want a Deputy Governor now, they may find that they do in future, and I should have

thought it would have done no harm to have provision in the Constitution enabling them to appoint one.

16. Both the Eastern and Western Regions wanted the Constitutions to provide that the Premier must be appointed from the lower House only. The North preferred to retain the possibility of his being appointed from the House of Chiefs.

17. The Chief Justice of the Federation had urged that the meeting should revise the conclusion reached in London about the method of appointing a Regional Chief Justice. The London conclusion was that he should be appointed by the Governor on the advice of the Premier (Section 50(1)), but that there should be a convention that, before tendering his advice to the Governor, the Premier should consult the Federal Chief Justice. The Federal Chief Justice was anxious that this should not be left to convention but should be written into the Constitution. I strongly supported this and said that I knew, because he had told me, that Mr. Justice Mbanefo took the same view, and also Sir Kenneth Roberts-Wray. The Governor-General also spoke in support. The meeting, however, showed no disposition to revise the London decision and it was clearly useless to press the point.

18. Mr. Rushford will now produce drafts of all four Constitutions revised in the light of the discussion, and hopes to be able to do this and to send them to Nigeria by about the middle of August. The Nigerian Governments will therefore have a further opportunity to comment if they want to and can do so quickly. Mr. Rushford will also be drafting and sending out to them as soon as possible the transitional provisions, which will be fairly numerous. There may well be points in these on which the Nigerians wish to comment, and indeed the representatives of the different Governments may wish to discuss them with one another. It is quite possible, therefore, that yet another brief session will have to be held in Lagos in the latter part of August. I would hope, however, that no very controversial or major points are likely to arise and that it will not be necessary for Mr. Rushford or anyone else from the Colonial Office to be present. But it may be that another brief visit by Mr. Rusford will be required.

19. We aim at getting the Order-in-Council, embodying all the four Constitutions and the transitional provisions, made at a meeting of the Privy Council somewhere between about the 7th and 12th September. There will also have to be other Orders-in-Council dealing with the Northern and Southern Cameroons and with Service matters. Agreement was reached at these discussions on certain points about the Retirement Benefits Order-in-Council.

535 CO 554/2536, no 54E

24 Aug 1960

[Foreign policy]: letter from S J G Fingland to D W S Hunt on a speech by Alhaji Sir Abubakar Tafawa Balewa on Nigeria's foreign policy alignment

I enclose a page from the Nigerian Hansard for the House of Representatives dated 20th August, containing the text of a statement on the conduct of foreign affairs made by Alhaji Sir Abubakar.¹ The background is that the Prime Minister has been

¹ Enclosures not printed. Speaking on foreign policy to the House of Representatives on 20 Aug 1960, Tafawa Balewa had stated that, 'We consider it wrong for the Federal Government to associate itself as a matter of routine with any of the power blocs . . . our policies . . . will be founded on Nigeria's interests and will be consistent with the moral and democratic principles on which our constitution is based'.

under pressure for some time to make a statement on the foreign policy for independent Nigeria. As you will imagine that was not a simple task for a Prime Minister whose government is a coalition of two parties which made very different policy statements on foreign affairs at the time of the recent Federal Elections.

2. The Prime Minister seems to have wanted to keep his statement on very general lines; and it is not to be debated, or elaborated on, until after Nigeria's Independence. I was, in fact, shown a draft of the statement, at the Prime Minister's request, by Stallard who had helped him to draw it up and was asked, at very short notice, for any comments. It was obviously impossible, in the circumstances, to suggest alterations on lines anything as robust as the N.P.C. election manifesto on foreign policy; but I was able to amplify somewhat the references to the Commonwealth and to propose some other amendments at various parts of the draft which, I think, broadened it out a bit.

3. The statement has been very well received locally, except by the Action Group opposition, as you will see from the enclosed four cuttings of leading articles from the Nigerian press. It is rather interesting to see that the Daily Times and the West African Pilot have, quite wrongly, I think, praised the statement as an indication that Nigeria will adopt a neutralist policy; and that the Daily Service, equally wrongly, has condemned it for the same reason. Dr. Okpara, the Premier of the Eastern Region, has also sent a message to the Prime Minister congratulating him on his statement and saying that 'non-alignment, by whatever name called, is the only sensible and realistic policy for Nigeria.' The statement itself, however, as you will see, says no more than that Nigeria 'will not blindly follow the lead of anyone' and that the Federal Government considers it wrong 'to associate itself as a matter of routine with any of the power blocs' (the underlinings are mine). I think that Alhaji Sir Abubakar has managed to satisfy his coalition government while still keeping the lines of Nigeria's foreign policy fairly clear of any commitment to neutralism. (He, incidentally, himself prepared the first draft to read . . . 'We consider it wrong for the Federal Government to associate itself as a matter of routine with any of the power blocs, whether the Western bloc, the Eastern bloc or the Afro-Asian bloc'; but he seems to have thought again about being quite so specific in the final text).

4. To sum up, I think we must regard the statement as a 'holding operation'; and it would in my view be incorrect to regard it as presaging any drastic reorientation of Nigeria's long standing friendship and regard for the West.

5. I am sending copies of this letter for information to Snelling in Accra and Watson in Dakar, with copies of the Hansard extract but not the press cuttings.

536 PREM 11/3047

26 Aug 1960

[Defence agreement]: minute by Mr Duncan Sandys to Mr Macmillan on a proposal to meet Nigerian military training costs in the UK.

Enclosure: 'Nigerian defence': CRO note

Prime Minister

I propose, if you agree, to make an offer to the Nigerian Government to meet the cost of training members of their armed services in this country. It is estimated at

£71,000 for the year 1960/61. My aim is to smooth the passage of the Defence Agreement, about which Lord Home sent you his minute No. 48/60 of the 18th July.

I attach a note prepared by my Department giving the detailed reasons for this proposal, which has been agreed on the official level with the other Departments concerned.¹

Enclosure to 536

Lord Home in his minute No. 48/60 of the 18th July to the Prime Minister spoke of possible dangers threatening our Defence Agreement with Nigeria.² The Prime Minister directed that an examination should be made on the lines of paragraph 4 of that minute, namely that proposals should be prepared recommending the minimum which we need to do to secure the passage of the Agreement. This has now been done.

2. In a personal telegram, copy attached,³ the Governor-General of Nigeria takes the view that the passage of the Agreement will not be prejudiced by the extent to which Her Majesty's Government are unable to lighten the financial burden of Nigerian defence. He goes on, however, to say that he has no doubt that the Agreement will be more welcome, and therefore more valuable to the United Kingdom, if, when it comes to the Legislature, Ministers can point to the tangible financial advantage flowing from it. He has made two proposals which are in line with requests already put forward by the Nigerian Delegation which was here in June, viz.

- (a) the United Kingdom should pay part of the cost of British service men seconded to the Nigerian Military forces.
- (b) the United Kingdom should pay the cost of training Nigerians in this country.

3. We have considered the proposal in sub-paragraph (b) above together with officials of the other Departments concerned, and agree that we should help Nigeria in this way. What is proposed is not a departure of principle, but that as far as Nigeria is concerned we should set the ceiling of what we are prepared to spend under the existing scheme for military training assistance in the United Kingdom for Commonwealth countries at such a level that in fact we do train all the Nigerians with whom we are asked to help (and for whom we can find places) free of charge.

4. The total cost of all the training facilities asked for by the Nigerian Government in this country in the year 1960/61 is estimated at £71,000 (that is, Army £36,000, Navy £35,000, there is as yet no plan to start a Nigerian Air Force). Increases in the number of places we shall be asked for may cause this figure to grow slightly each year in the next few years. We can in fact find all the places we have been asked for in this current year. We are already committed to some expenditure on training of Nigerian servicemen under the existing Commonwealth Relations Office scheme. The expenditure proposed above can be compared with the present cost to us of training Pakistan servicemen in this country of £35,000 per year and of training Malaysians of £15,000 per year.

¹ Macmillan wrote on the end of this minute: 'I agree, if Chancellor of Exr approves HM 30/8'. See 533.

² See 532.

³ Not printed.

5. This expenditure will be well worthwhile.⁴ This year has demonstrated plainly enough the vital importance of Africa, and especially of Nigeria as the largest, and in the long run perhaps the most influential, of the newly independent countries of Africa. Events in the last few weeks in the Congo have shown the value of British trained African troops. Nigerians are already convinced of the value of the British service connection. But if they feel they are not getting all the benefits they should from the Defence Agreement, they know that there are other countries who are prepared to offer training facilities on most generous terms. We have seen in Ghana in the last few weeks how quickly in an African country, apparently firmly inclined towards the West, a substantial body of opinion can grow up in favour of seeking assistance from the Soviet Union.

6. If this proposal is accepted the Colonial Secretary will inform the Nigerian Prime Minister that we will train all the Nigerians for whom we can find vacancies without cost to the Nigerian Government. At the same time he will seek the Federal Prime Minister's agreement to a public announcement on the same lines.

7. Though we may be faced afterwards with requests for similar treatment for Ghana, Pakistan and Malaya, we need not consider ourselves obliged to help these countries more than we are doing at present. Ghana is in comparison with Nigeria a rich country whose armed forces are (as they have recently demonstrated) on the way to being well established. We help Pakistan already not only with the training of officers under the Commonwealth Relations Office scheme but also to the extent of about £11,000 from our CENTO Military Training fund. Our financial assistance to Malaya has been very substantial. But it has to be recognised that if we do help Nigeria in this way it may be difficult to refuse similar assistance to Sierra Leone where there may also be special circumstances, and whose financial problems are not less than those of Nigeria. We may possibly have to help the West Indies also, to go no further.

8. The first of the Governor-General's two proposals, that the United Kingdom should pay part of the cost of British servicemen seconded to the Nigerian military forces, raises more complicated problems and involves a departure from our past policy for which however there may be a case on general grounds. Some preliminary study of what would be involved has been made by the interested Departments. It is proposed that this study should continue and that it should be directed towards the consideration of a general offer, not peculiar to Nigeria, with recommendations as to the best way of doing more to help newly emergent Commonwealth countries with the cost of seconded British officers, and that estimates of the costs of the different proposals which may emerge should be prepared.

9. This note has been agreed at official level with the Treasury, Foreign Office, Colonial Office, Ministry of Defence and the three Service Departments.

⁴ The Ministry of Defence recognised this, 'All the evidence, however, is that the political dividends which arise from the presence of seconded British officers in the newly emergent countries are well worth having' (DEFE 7/1485, no 15, minute by C Gough, 20 Sept 1960).

537 DO 35/10510, no 53

29 Aug 1960

[HMOCS]: letter from G W StJ Chadwick to S J G Fingland on the future of HMOCS in Nigeria

I am sorry that there was no chance of seeing more of you during your recent visit.

My first week here in David Hunt's chair has been almost wholly occupied with the future of H.M.O.C.S. I feel, after emerging from the other end of it, that I must drop you a personal note to put you on notice that a large exercise may well lie ahead of you.

The Colonial Secretary is under an obligation to present a White Paper to Parliament shortly before it reassembles.¹ This White Paper, which has been drafted at breakneck speed, in consultation with the Treasury and ourselves, is designed to find new gimmicks with the help of which H.M.O.C.S. officers, whether pensionable or on contract, can be induced to soldier on—after independence where need be—in such territories as are prepared to enter into bilateral arrangements with H.M.G.

The scheme in its present form provides in a nutshell that virtually everything except the local rate of pay for the job shall henceforth fall on the shoulders of the U.K. Government. Two points we have stood out against, and which we have won from the Colonial Office, are:—

- (a) That at this stage the exact categories of officer to whom the scheme applies shall not be too precisely defined. (This is not likely to affect Nigeria very closely.)
- (b) The scheme shall *not* apply to the recruitment of officers willing to enter the service of a territory which has already achieved independence. Here it will be preferable to find such men through bilateral technical aid schemes. (This of course will be of direct concern in the Nigerian context.)

With certain misgivings, we have agreed to the Colonial Office's going ahead with despatches to the Governor-General and to the three regional Governors' explaining the scheme to them and asking them to say before 1st October whether in principle they would all be ready to enter into negotiations with H.M.G. Our misgivings relate first to the complications which may well arise if the regional Governments after independence seek to enter into direct contact with us (a suggestion which the despatches attempt tactfully to put out of court); and second, from the prospective amount of work which this scheme would throw up in a territory as heavily staffed with H.M.O.C.S. officers as is the Federation with its regions.

David Hunt will be familiar with all this background, and you and he, together with our Deputy High Commissioners, will no doubt do all you can to see that such regional Governments as enter into agreements play constitutional ball and conduct their negotiations with us through you and the Federal Government. As regards the work ahead for the future, we have hardly even begun to peer through the mists. But it already seems clear that a huge initial exercise will have to be undertaken by way of compiling lists of all officers eligible in each region and at the centre; in computing the amount of expatriation allowance, passage charges, etc., that we shall be responsible for, and in totting up the overall bill. Who thereafter will be responsible for payment on the spot, and for estimating ahead, is as yet anybody's guess. These are, of course, matters that we shall look into in detail here as soon as the draft White Paper nears finality. But I thought that you should be forewarned. I will send you a copy of the draft in first revised form as soon as it reaches us from the Colonial Office.

¹ *Service with Overseas Governments* (Cmnd 1193) 26 Oct 1960.

538 DO 177/51, no 6

[Sept 1960]

**'Nigerianisation of key posts in the Western Nigerian public service':
press release by Chief S L Akintola. *Minute* by R C Cox¹**

In the opinion of the Western Nigerian Government the retention of expatriate officers in key posts in the Public Services would be inconsistent with the dignity and interests of an independent Nigeria.² This contingency may indeed be said to have been anticipated at the constitutional talks in London in 1957 when it was agreed that the Governments of Nigeria could immediately reserve a number of posts for Nigerian officers and that they were free to make additions to the reserved list in future as occasion might require.

2. The Western Nigerian Government has accordingly decided to reserve the following posts in its Civil Service for Nigerians, in addition to reservations hitherto in force:—

1. The Head of the Service.
2. All posts of Permanent Secretaries.
3. The Heads of Professional Divisions in all Ministries.

3. The reservation of a post means that no non-Nigerian may henceforth be appointed to or held in the post except with the specific and prior approval of the Regional Cabinet. Such approval will only be given in very exceptional circumstances—for instance, when it is established to the satisfaction of the Cabinet that there is no suitable Nigerian who can adequately perform the duties of the post. 'Nigerian' in this context includes persons of African descent employed in the Regional Service.

4. Where a reserved post is already occupied in a substantive capacity by an expatriate officer and a suitable Nigerian officer can be found to take it over, the expatriate holder will not be required to retire from the Service in order to give way for a Nigerian appointment. He will be offered retention on a supernumerary basis in a post of similar designation and grading, or transfer to another post of similar grading, whichever is possible in the circumstances of the particular case. If the officer himself so prefers, he may immediately retire with lump sum compensation and in that case he will be discharged from the obligation to give the notice prescribed in the compensation regulations.

5. Most of the substantive expatriate holders of the posts now reserved are serving on Special List B terms, under which all but a few of them are due to retire in any case in August 1962. If, as the Government earnestly hopes, these officers agree to accept the new roles offered to them and continue in the Service until the normal expiration of their Special List B contracts, they can render the Region very valuable service by assisting their Nigerian successors with advice and by undertaking special assignments which are an inevitable feature of a rapidly developing Service and country.

¹ Senior Executive Officer, CRO.

² Sir Adesoji Aderemi, the Ooni of Ife, had become the first Nigerian regional governor when sworn in as governor of the Western Region on 8 July 1960.

6. The Government hopes that all expatriate officers in its Service will appreciate and accept the inevitability of this development. Should any of them—whether or not a displaced holder of a reserved post—feel unable to continue in the Service because of this decision of Government, he will be permitted to retire without any obligation to give the statutory notice that would otherwise have been required of him.

7. Even the most prejudiced of our critics will admit that we have done solid preparatory work for this development. First among the Governments of Nigeria, the Western Nigerian Government under the able leadership of my predecessor, Chief Awolowo, created as far back as 1957 special posts in which selected Nigerians could receive accelerated training in responsibility. In the same year we appointed a Nigerian Head of the Service whose special responsibilities included the promotion and persecution of measures for the most speedy Nigerianisation of top posts in the Service. We have spent a lot of money of our own to enable promising Nigerian officers to gain overseas experience, and in addition taken the fullest advantage of similar facilities offered by our friends abroad. I am, therefore, able to give a personal assurance to the public that this administrative take-over will involve no lowering of efficiency.

8. From 1st October, 1960, then, or so soon after that date as the promotion processes can be completed, all Permanent Secretary posts in Western Nigeria and the Headships of the professional Divisions will be taken over by Nigerian officers. With the exception of Permanent Secretaries, whose appointments have to be sanctioned by the Premier, all the promotions involved in these changes will, of course, be made on the advice of the Public Service Commission. I am confident that Nigerians advanced to these responsible posts will acquit themselves creditably, repeating their wonderful performance of 1957, when upon the advent of Regional Self-Government and the exodus of experienced expatriate officers from the Regional Service, they were called upon to shoulder burdens far above those to which they had been accustomed.

9. I should like to take this opportunity to pay a well deserved tribute to the British officials who helped to create the respectable Civil Service that we are now taking over. I understand that some of them have started a club in London to serve as a means of maintaining contact with the colleagues they left behind and with future members of the Service. In that way they will retain acquaintance with an institution they helped to build and with which they are proud to have been connected. We for our part will never forget them and the services they rendered to Western Nigeria.

Minute on 538

The Colonial Office letter at (6) refers to a press release by Chief Akintola, the Premier of the Western Region, to the effect that inter alia all Permanent Secretaryships should be filled by Nigerians.

2. Chief Akintola is not the only one to hold this view; the Zikist National Vanguard have also demanded it, and indeed it is a recommendation of the Nigerian Parliamentary Committee on the Nigerianisation of the Federal Public Services.²

² *Matters arising from the Final Report of the Parliamentary Committee on the Nigerianisation of the Federal Public Service, Sessional Paper No 2 of 1960* (Lagos, 1960).

[This Committee was appointed in March, 1958 and has recently reported; the printers' date on the report at (5) is August, 1960, but no date is given in the document for the report itself. I think you will be interested to see the marked portions, in particular of the first eleven pages of this document, and Mr. Larmour might also be interested to see it. It starts off with what is called a statement of policy by the Federal Government. It is a little difficult to see exactly what their policy is, but from para. 8 on page 2 it will be seen that the Government has directed that urgent action should be taken to give effect to all the recommendations contained in the Nigerianisation Officer's report. So far as the Federal Service is concerned, the main recommendations are contained in paragraph one of page 8.]

3. In para 4 of his letter at (6) Mr. Smith concludes, and rightly I think, that as there are at present no Public Officers Agreements for any Nigerian Governments, the only course open to H.M.G. in the U.K. is to accept these demands for the Nigerianisation of the highest ranks of the Public Services in Nigeria and to ask the Governments concerned what amendments they want to propose to the present draft Public Officers Agreements.

4. This, in effect, ties in with the action vis-a-vis the Nigerian authorities which we contemplated on the present draft Public Officers Agreements (about which there is another file).

5. The Colonial Office also propose that there should be a second level of compensation for expatriate officers who stayed on in newly independent countries and whose prospects of promotion are worsened by 'localisation' of the administrative services. This has not yet been put to the Treasury and I feel it might well be difficult to sell this idea to them. The obvious retort is that 'localisation' of the administrative services is one of the risks an expatriate incurs when he opts to stay on. However, it is not a purely Nigerian problem. It will have repercussions in Sierra Leone, Tanganyika, Gambia, Federation of the West Indies and so on. This may have repercussions on the H.M.O.C.S. scheme and if the Treasury agree to a second and later increase of compensation because an expatriate cannot succeed to senior posts in his service (in spite of merit and seniority) it could make the H.M.O.C.S. scheme even more attractive to expatriate officials.

6. Constitutional Department should therefore perhaps see in this context.

7. The Colonial Office would like a meeting to discuss this problem as soon as Mr. Eastwood is back from the Cameroons (around the 25th October). Even if someone from Nigeria Department attends any meeting in the Colonial Office, it seems to me desirable that Constitutional Department should be represented also.

(You will recall also there was the report by Mr. Alport that Northern Nigeria were anxious to ensure that a minimum of 24 senior expatriate officers stayed in the Region for the next three to six years. I circulated this file to Mr. Larmour to see and he has passed it to Constitutional Department for their comments).

8. I submit a brief draft reply to Mr. Smith which you may care to let Constitutional Department see before issue.

R.C.C.
21.10.60

539 CO 554/2391, no 13

9 Sept 1960

[Political situation]: despatch no 22 from Sir G Bell to Mr Macleod on the position of the governor of Northern Nigeria, the Israeli loan and disorders in the Northern Region [Extract]

... 7. I spoke with the Premier of my own future when I saw him in London at the end of June and asked him openly whether he thought he would find himself under pressure to ask for an African Governor before long. He said that he did not think so, and since his return, in reply to a newspaper enquiry, he has said that as my own appointment has a further two years to run the matter of an African Governor is not one that is of immediate concern. I also asked the Premier whether in due course he might wish to put himself forward as the next Governor of the North. He replied immediately and categorically that he would not and added that the problem of my successor would be a difficult one. I can well imagine that it will be. But I do not rule out the possibility that there may yet be pressure to ask for an African Governor before the autumn of 1962.¹ It is unlikely, I think, that the Premier will wish to yield to it, at least before the end of 1961, provided our personal relations can be kept as harmonious as they are at present. I do not foresee any change in our contacts after 1st October. He has in fact said to me that he hopes our meetings, which are not confined to a particular day, but take place sometimes once and sometimes twice a week as circumstances demand, shall continue exactly as at present. I am inclined to believe the Premier's expression of reluctance to move to Government House, and I think that his ambitions are more directed towards becoming Sultan, and sooner rather than later.

8. I fear that the personal relations of the Premier with the Prime Minister of the Federation have suffered a steady deterioration during the past two months. The first of the present series of disagreements came about as a result of the negotiation of the £3 million Israeli loan in June, and the Premier has lost no opportunity since then, and notably during the recent visit to the North of the United Arab Republic Ambassador to Ghana, in publicly dissociating himself and the Regional Government from any share in it. A further cause of friction has arisen over certain appointments in the Nigerian Foreign Service and particularly over who is to be the first Foreign Minister. It is understood that the Prime Minister favours M. Maitama Sule, at present Federal Minister of Mines and Power. M. Maitama is a protégé of the Prime Minister's, but at the same time he is a son of one of the Madakin Kano's slaves. The Emir of Kano has a son in the Foreign Service. The affair shows only too clearly the difficulties with which the Prime Minister is faced, and the strange confusion of qualities and defects, vigour and decadence, authority and weakness, tradition and change, which forms the fabric of the North. Finally, and the most serious of all, has been the apparent disagreement over foreign policy. At the end of August the Prime Minister made a statement on foreign policy in the House of Representatives in Lagos, in the course of which he said that he considered it wrong for the Federal Government to associate itself, as a matter of routine, with any of the Power *blocs*. The Premier's reaction to this was immediate. In speaking to me a few days later he recalled that the N.P.C. manifesto issued before the Federal elections had made it abundantly clear that the party supported alignment with the Western Powers. He

¹ When Bell retired in 1962 he was replaced as Governor by Sir Shettima Kashim Ibrahim.

complained that the Prime Minister ought not to have spoken as he had without reference to the party. At a meeting of the Regional Security Committee on the same day he was even more outspoken and told the four British officers present that there had been a crisis in his relations with the Prime Minister and that he had determined not to see him again. He has since relented and he and the Prime Minister are due to meet in Kaduna next week.

9. Discussing the recent dissolution of the Mali Federation, a leader in *West Africa* says 'Behind it lies every one of the underlying problems confronting African statesmen: the clash of personalities, the conflict of ideologies both on the political and sociological level, and the ugly problem—of fitting "haves" and "havenots" into a political union'. All these sources of potential conflict exist in Nigeria, and added to them are the pressures that will be intensified as soon as outside influences begin to make themselves felt. Nigeria and most of emergent Africa is passing through two revolutions at the same time—a revolution involving a transfer of power from an alien to a national Government, and a social revolution involving a conflict of classes. The strain involved is very great.

10. Pressure by outside countries on the stability of the Federation is likely to manifest itself before long, particularly through the links existing between Israel and the Western Region on the one hand, and between the Arab world and the North on the other. I have never doubted that the Egyptians would endeavour to exercise influence on the North after Independence. The United Arab Republic Ambassador to Ghana, Sayed Nabih Abdel Hamid, and several members of his staff visited the Region in July and spent some days in Kaduna as the guest of the Premier at the State House. In a speech made at the dinner which the Premier gave to him the Ambassador said 'You only need to ask for our help and tomorrow we are at your command'. Making allowances for the art of flattery of which the Egyptians are masters, I am quite sure that even if the help is not asked for it will be offered. Indeed, the Premier has told me that the North could do with some Egyptian engineers and school mistresses. Sir Eric Ashby, the Chairman of the Federal Commission on Higher Education, is well aware of this danger. The Commission's report will be presented before 1st October and it will, I understand, make recommendations for the employment in the North of teachers from the Moslem countries. If Egyptian teaching aid can thus be channelled through a system of supplying teachers from the Commonwealth and other countries, much of its possible danger may be kept in check. This particular recommendation is likely, I believe, to be acceptable to the Regional Government.

11. In paragraph 10 of my Secret and Personal despatch No. 16 of 31st March² I described the disorders which had come about in Benue Province during the preceding weeks. With the onset of the rains in April, the Tiv, who had been in the main responsible for these events, turned their attention to their farms. The harvest is now in and further serious incidents have occurred during the past fortnight; roads have been blocked, the Native Authority defied, and the Native Authority police put to flight. The Resident and the Federal Police have been fired at with poisoned arrows on several occasions and there have been casualties on both sides. It has been necessary to move a number of Federal Police riot units into Benue Province. It will be recalled that at the Federal elections last December all seven Tiv constituencies

² See 515.

returned Action Group candidates. The Chief of Tiv and his Executive Committee are N.P.C. and in the past nine months they have shown little tolerance or justice in a situation which called for the exercise of both. The U.M.B.C.-Action Group leader, Mr. Tarka, is probably directly responsible in great part for these recent incidents, but the stubborn unenlightened clique that controls the Native Authority must bear its share of the blame. The Tiv, a virile, united people, number 800,000. To Lugard they were 'a constant source of trouble, defying authority in the forest and undergrowth which cover their country'. They are similarly engaged to-day. It will require an imaginative and magnanimous gesture from the Regional Government to bring them back into the fold.³

12. There were serious disturbances in Maiduguri, the headquarters of Bornu Province, during August, between supporters of the Bornu Youth Movement and supporters of the N.P.C. The Bornu Youth Movement is in alliance with the Action Group. 11 persons lost their lives and 30 more were seriously injured. It is, however, satisfactory to be able to report that on this occasion both the Native Authority and the Native Authority Police acted with promptitude and courage, and in close co-operation with the Federal Police who were sent to help. Bornu is now quiet and there is no reason to believe that it will not remain so. . . .

20. Events over these recent months have shown more clearly than for some time past the weaknesses within the North and the stresses between the North and the Federation. Perhaps this is only to be expected at a time when emotions are running high. No Colonial possession has ever, I think, come to Independence so easily and in so close a feeling of friendship with the dominant Power. There has been no struggle, and national unity is the weaker for the lack of martyrs and exiles and prison sentences. The outside pressures which will make themselves felt on Independence may expose weaknesses but they may also help to unify. It is the internal stresses, and particularly the clash of personalities, the rivalries of tribal groups, and the conflict of economic interest, that are the most menacing.

21. We have led the North to Regional self-government and the Federation to Independence. That task is completed. But a new task lies ahead. It offers as great a challenge as any that we have had to face here. The second scramble for Africa has begun and we will have to take our part in it. The challenge will call for all the qualities we have shown in the past 60 years and indeed many more; generosity, understanding, patience, imagination, and for those who will continue to work here a high sense of service. Much will depend upon the help which Her Majesty's Government gives and the way in which it is given. . . .

³ Unrest against the NA system among the Tiv broke out into violence in March 1960 and continued until Oct. Further unrest erupted in Feb 1964.

540 CO 852/1749, no 39

13 Sept 1960

[Technical assistance]: letter from T B Williamson to A H Humphrey (CRO) on USA technical aid to Nigeria

[Further consideration of the technical assistance proposals for Nigeria during 1960 led to a draft scheme being drawn up and forwarded to the Nigerian government for consideration in July 1960 (CO 554/2555, no 67, 'Technical assistance arrangements

between the UK government and the government of the Federation of Nigeria'). By June 1961 the scheme had provided 44 experts to serve in Nigeria and had arranged training in the UK for 160 Nigerian students.]

In the Colonial Office paper on Technical Assistance to Nigeria, circulated to the Inter-departmental Working Party (N.T.A.(60)8), we gave some information about United States technical assistance to Nigeria. It may be useful to you if we now pass on to you such further information as we have on this subject.

2. In March we authorised the Federal Government to deal direct with I.C.A. on technical assistance matters (a copy of our savingram No. 563 to the Governor-General is enclosed).¹ In practice the Federal Government have not been sending us copies of applications for new projects, but we have an arrangement with the I.C.A. Representative in London, Miss Belcher, whereby we receive copies of new project agreements. While we cannot be sure that we have a comprehensive picture of I.C.A. technical assistance at present being given or offered to Nigeria, we do know that the following projects have been approved by I.C.A. in addition to those set out on pages 2, 3 and 4 of N.T.A.(60) 8:—

Teacher Training (Northern Nigeria)

Audio Visual Aid (extension of the Western Region project to the Northern and Eastern Regions)

Rural Education

Educational Planning

I enclose copies of the project agreements.

3. The Rural Education Project is an expansion of a well established and successful practice, begun by a man who is now in the service of the Western Region Government. In the view of our Education Adviser it is a pity that this venture should be Americanised; but we have to admit that it has proved difficult to get suitably qualified staff from this country. The Educational Planning project seems mainly to be a matter of providing adequate statistical data for various educational purposes. Nevertheless it seems to us that both of these projects, which are of considerable importance, strike at the heart of education planning in Nigeria and will mean that the system there will be increasingly organised on American lines, which are very different from those on which the educational system has been built up in the past.

4. Nigeria has of course, a very great need for technical assistance and it is obviously desirable that this should come from free world sources. In general therefore we have welcomed the growing American interest in Nigeria. On the other hand, we have felt that in certain key fields, such as education, the United Kingdom itself should do as much as it possibly can to preserve British methods and influence (in this connection my confidential and guard letter to you of the 16th August is relevant). This is obviously in the United Kingdom's interest; but it is in Nigeria's interests as well. There is probably a greater divergence between British and American ideas of education than between those of Britain and most of Western Europe—a divergence that is apt to be overlooked because of a common language—and while American ideas are bound to be influential, educational development is likely to get on to unsound lines if they result in throwing British experience overboard. For these reasons we have tried to ensure, as in the Zik University scheme, that there is as much

¹ Enclosures not printed.

Anglo-American co-operation in this field as possible. The Ashby Commission is another example of this.² The Americans have responded reasonably well on the whole to our . . . suggestions for full consultation; and the success that has been achieved in this direction has been due to no small extent to the useful co-operative relationship we have enjoyed with the I.C.A. Representative in London, who we know is anxious that this co-operation should continue after Nigeria becomes independent. But there have been lapses in co-operation and if our experience is anything to go by I think you will find that the situation needs constant watching.

5. From the information we have, it is clear that I.C.A. are going to go all out to provide Nigeria with technical assistance, in the field of education particularly. As was mentioned in N.T.A.(60)8, I.C.A. have had an 'Educational Adviser' in Lagos for a couple of years or so and by now they may well have additional educational advisers there. They have also had an 'Agricultural Adviser' in Lagos for some time and we have no doubt that they will be building up an advisory staff of considerable proportions. This staff in Lagos is backed by an army of advisers on all sorts of subjects in Washington. Moreover, our experience is that I.C.A. do not wait to be asked to provide assistance: they suggest ideas themselves and then 'sell' them to the local people.

6. The situation gives cause for some concern and we know that Sir James Robertson has felt some anxiety at the way things are going. Our representative referred briefly to some aspects of this at a meeting which Moynihan had with Maxwell of the I.U.C. and Colonial Office and British Council representatives on 31st August, but you and Pares (to whom I am copying this latter, without enclosures) may wish to have this background to the position as we see it at the time of handover of responsibility to the C.R.O.

² See 541, note 4.

541 CO 554/2479, no 11 15 Sept 1960
 [Political situation]: despatch no 53 from Sir J Roberston to Mr
 Macleod reviewing the end of British rule in Nigeria and prospects for
 the future

I had the honour of addressing you on the general situation in the Federation of Nigeria in my Despatch No. Personal 31 dated 27th April.¹ It seems appropriate that now, within a few days of the declaration of Nigeria's independence, I should again address you for the last time in the concluding days of Nigeria's colonial history.

2. It is unnecessary for me to attempt to trace the long connection between Nigeria and Her Majesty's Government, and the history—over several centuries—of the traders and explorers going out from our country to West Africa and especially to Nigeria; the development of interest in abolishing the slave trade, the naval patrols, the appointment of consular agents and the gradual opening up of the country; the establishment of the Colony of Lagos and of the Oil Rivers Protectorate; the activities of the Royal Niger Company and Lord Lugard's settlement of the country within its present boundaries. These matters are now episodes in history leading to the foundation of the present State of Nigeria, within its present boundaries, by 1914.

¹ See 520.

3. From 1914 up to end of the last war, the progress of the country followed the normal colonial pattern. Law and order were gradually enforced; schools were started and education stimulated; railways and roads were constructed and within the financial resources available, economic, social and political development was pursued. That progress was not faster is often attributed now by nationalists to the desire of the administration to keep back the native population in a state of dependency to allow of exploitation and aggrandisement, but it would be more accurate to blame the indifference, ignorance and mental lethargy of the population together with the low value of primary products, and the axiom held in the United Kingdom that colonies should pay for themselves, and that the British taxpayer's money should not be spent on their development. This long period was not however wasted, for stability and peace were established and Nigerians in ever increasing numbers were educated as doctors, lawyers and civil servants, and the economic structure of the country was welded together.

4. After the end of the 1939–45 war, a tremendous change came over the country, and indeed over the British attitude to colonies. The Atlantic Charter and the new world-wide sentiments regarding dependent countries so obvious at U.N.O. and elsewhere had a revolutionary effect on Nigeria. Primary products had vastly increased in value: the war years had permitted the accumulation of reserves and the country, which had previously existed on the weakest financial shoestring, found itself with appreciable financial reserves, permitting a much bolder development programme than ever before. Politically, too, the change was revolutionary, and Nigerian nationalists, led by Dr. Azikiwe, demanded a far greater share in the running of the Government. The Milverton Constitution of 1946 was soon followed by the Macpherson Constitution of 1951, and by 1953 this too was felt by Nigerians to be out of date, and was followed by the institution in 1954 of the present Federal Constitution, which gave the Regions and the Federation elected assemblies, with Executive Councils composed partly of officials but with majorities of elected members who were responsible to the Assemblies. As a result of the conservative attitude of the Northern Regional leaders, the demands for immediate independence were withstood, and a gradual process of internal Regional self-government was accepted whereby the Regions became self governing, East and West in August 1957, and the North in March 1959. The country has therefore had the advantage of a gradual process of transition and is now ready to achieve its final independence as a complete whole on October 1st.

5. This gradual evolution has, of course, had its awkward moments; and there have been political crises of varying intensities from time to time; but the personal influence exercised by Lord Chandos at conferences in 1953 and 1954, and later by Mr. Lennox-Boyd in 1957 and 1958, built up a friendly and co-operative atmosphere in which differences were gradually ironed out and by which the country has successfully surmounted the difficulties which faced it. Most of these difficulties arose from the nature of the peoples inhabiting the country: their variety of tribes, languages and religions: the greater sophistication in Western ways of the Southern people, and the strong conservatism of the Northern Emirs and leaders. The main political parties, the N.C.N.C., the N.P.C. and the Action Group, are themselves still in the main based on tribal affinities and loyalties, and are basically Ibo, Fulani-Hausa and Yoruba respectively, although they are all trying to widen their appeal and their outlook. As these three parties each form the Regional Government of their

tribal Region the difficulties, always inherent, of a Federal constitution, are intensified, and there is a considerable amount of friction between the Regional Governments. The problem of minorities, too, is still a complicated one and at present minorities in any Region are inclined to vote with one of the political parties which represents the Government of another Region—thus in the East, Efiks, Anyangs and Ibibios vote Action Group, not because they support a particular party policy, but because the Action Group is a Yoruba party and opposes the Ibo majority as identified with the N.C.N.C. Similarly in the West, the Itsekeris, Binis and Urhobos vote N.C.N.C. and not Action Group because they are afraid of Yoruba domination, and in the North the Biroms, Tivs and other non-Fulani–Hausa tribes tend to vote for the Action Group or the N.C.N.C.—affiliated N.E.P.U., who have deliberately angled for their votes as their protectors from majority domination. Needless to say, these feelings amongst comparatively uneducated and tribal peasantry do not make for peace and security in these areas, though it must be admitted that the general tension has eased considerably since the Minority Commission's enquiries in 1957–58, and the Federal Election of 1959.

6. The Federal Government, formed after the elections in 1959 under the Prime Minister, Sir Abu Bakar Tafawa Balewa, is a coalition Government formed from the Northern People's Congress (N.P.C.) and the National Council of Nigeria and the Cameroons (N.C.N.C.). The N.P.C. have a majority in the Council, and are supported by 140 members of the House of Representatives, but the N.C.N.C., with 90 members, have a strong representation in Council and several influential Ministers. The alliance is an uneasy one, a marriage of convenience, and the policies of the two parties are different. The N.P.C. represent the North and are predominantly Muslim. They are conservative and slow to change: they have an emotional link with Islamic countries, such as the Sudan and Saudi Arabia. They sentimentally support the Arab States against Israel, though such support has had little practical expression so far. They strongly favour alignment with the Western *bloc*, and are vehemently opposed to Communism. The N.C.N.C. on the other hand are the most socialistic of the Nigerian parties; they differ from the N.P.C. in being more neutralistic in foreign policy and less enthusiastic over Commonwealth membership. They have enlisted a number of Israeli technical experts to help them in the Eastern Region's development programme. The Left wing of the party has many young men who openly advocate a new outlook, closer links with the Eastern *bloc* and a break-away from the old associations with Great Britain and the United States. These differences of outlook are evident even in the Council of Ministers, and the Prime Minister has no easy task to keep his queerly matched team together. He has succeeded so far and will, I think, continue to do so for some time to come, by taking a middle course—showing himself less conservative and pro-Western *bloc* than his colleagues in the North, but far less socialistic and revolutionary than many members of the N.C.N.C. This middle course has naturally led to misunderstandings with both sides; he has recently had considerable difficulty with the leader of his party, the Northern Premier, Sir Ahmadu Bello, on a number of matters, chief amongst which has been the loan which the Federal Government negotiated with Israel; but perhaps the main cause is resentment at the way in which the Prime Minister has had to compromise to keep his uneasy team together and to consider what is best for Nigeria as a whole rather than only what is good for the North. He has had similar difficulties with the N.C.N.C.,

whose desire for office and the sweets thereof have made him despise a party, so many of whose members seem out only for all they can get.

7. The recent victory of the Action Group in the general election in the Western Region disappointed the N.C.N.C., who had hoped to make inroads into the ruling party's majority, but has probably in some ways helped to maintain the national stability. The Prime Minister was anxious that the Action Group should not lose command of the Region, as he felt his position at the centre would be made more difficult by a victorious N.C.N.C. This did not, however, prevent him going to Ibadan and taking part in the election campaign against the Action Group—an action which I think was contrary to his better judgment and which exemplifies the tight rope act which he has to perform.

8. The Prime Minister has, in the last few months, been taking great interest in Nigeria's future foreign policy. He has visited Ghana, Togoland, Sierra Leone and the Ivory Coast, and has built up very friendly relationships with President Tubman of Liberia, Sir Milton Margai of Sierra Leone, and M. Olympio of Togoland. He enjoyed meeting M. Houphouet Boigny of the Ivory coast recently, and told me that he found him to have very similar views to his own. He does not disguise his dislike of Dr. Nkrumah, and his suspicion of M. Sekou Touré, though he was pleased to discover, in conversation with M. Sekou Touré, that the latter shared his dislike of Dr. Nkrumah. The Prime Minister seems bent on forming a group of States in West Africa with similar ideas, who can counter Dr. Nkrumah's influence, and work together for economic, social and cultural rapprochement, rather than for the formation of a closer union. In fact he has publicly given it as his opinion that no State recently given its independence is likely willingly to surrender its sovereignty in any form of union. In this policy he is backed more by the N.P.C. and the Action Group than by the N.C.N.C., many of whose members incline more to the Pan-African ideas of Dr. Nkrumah, and are not averse to flirtations with the Iron Curtain countries. But a recent policy statement in which the Prime Minister favoured non-alignment with either of the world *blocs* has been severely criticised in the North. He has been disappointed that Nigeria's colonial status has prevented him sending a contingent of troops to the U.N.O. force in the Congo and I expect him to do this once Independence has been achieved.

9. It is difficult to see any other Nigerian personality who could take the Prime Minister's place at the present time, and he is by far the most outstanding figure on the political stage. But his position personally is far from secure: he is not the leader of his own party, and must always look over his shoulder to see how far he is carrying the Premier of the North with him. He has little political panache or magnetism, though he obviously has flair and acumen or he could not have kept his difficult coalition together for so long. He has far too much work to do and great numbers of foreign visitors to meet and interview. He is a good office man and deals expeditiously with his files and his papers. He is criticised as holding himself too aloof; for not seeing all and sundry from the Regions who wish to see him, and for failing to keep open house. He appears to have no close friends amongst his colleagues and not to find any of them at all congenial. I think he is essentially a shy, retiring man, and is therefore much more acceptable to Europeans than to Africans. He is also determined and at times stubborn in what he thinks is right, and has recently had a tiff with the Premier of the North, who asked for 24 motor-cycle police for ceremonial purposes, to be told that they were not, and would not be made,

available. But as I said above, I see no obvious successor or anyone who could cope with the present situation as successfully as he does.

10. The most prominent among the other Ministers is the Minister of Finance, Chief Festus Okotie-Eboh, a flamboyant, aggressive figure, who has worked hard both in his Ministry and in the political field. He is a fighter, who gives and receives doughty blows in political warfare, but who has shown considerable ability in his conduct of the financial policy of the country, and in his contacts abroad. He is a strong admirer of the Prime Minister, whom he greatly respects, perhaps because he is such a very different type of person. Other Federal Ministers, who have been pulling their weight, are Mr. Akinfosile, Minister of Communications, Mallam Maitama Sule, Minister of Mines and Power, and Mallam Zanna Dipcharima, Minister of Commerce and Industry. Mr. Raymond Njoku, Minister of Transport, has not been very prominent recently, though he has survived unpopularity arising from the upset last year in the railway, and some criticisms of his policy in establishing the Nigerian Shipping Line, in partnership with Elder Dempster Lines and the Palm Line. Alhaji Muhammadu Ribadu has also been less prominent than before, but in view of his influence with the Northern Premier remains an 'eminence grise'.

11. It seems unlikely that the Prime Minister will make many changes in his Cabinet on independence. I believe he intends to recommend Mr. Jaja Wachuku to me to be the Foreign Minister; not Mallam Maitama Sule, who has been rumoured as a possibility. Mr. Wachuku is a lawyer from the Eastern Region and is at present Speaker of the House of Representatives. He is an intelligent young man who has held somewhat extreme nationalist views, but is now setting down. If the Prime Minister can keep him in reasonable control, he might do very well. He will probably associate with him a Northerner as Minister of State. The other main Cabinet appointment to be made is that of Attorney-General. There has been a good deal of lobbying for this: Chief Festus has already promised the post to a friend! And Dr. Azikiwe is said to have a nominee. I believe the Prime Minister will choose Mr. Fani Kayodi, Q.C., a Yoruba lawyer from Ife in the Western Region. The Prime Minister has told me that he will keep the Defence Portfolio himself, and will also retain his present responsibility for the Police.²

12. It is one of the great advantages of Nigeria in her achievement of independence that both at the Federal centre and in the Regional Governments there are experienced Ministers, many of them men of education and talent, who have been Ministers for nearly 10 years. They have become accustomed to running Ministries and in considering matters of high policy, to begin with in partnership with senior officials as members of the Executive Councils and Assemblies, more recently on their own with advice from the Regional Governors and from myself. There is therefore a reservoir of trained men under whom there seems little likelihood of a debacle such as has recently occurred in the Congo.

13. In the lower grades of government there exists throughout the country a mass of local Government Authorities, with differing constitutions and powers who, in various ways and with varied degrees of success, administer local matters. In the North these bodies are still pretty authoritarian and Mr. Johnston, in his recent despatch (No. Personal 20 of 11th July)³ has described the Northern Government's policy for their development so clearly that it is unnecessary for me to comment

¹ Dr T O Elias became attorney-general; Tafawa Balewa retained the foreign affairs portfolio. ³ See 530.

further. In the Eastern and Western Regions the Councils act with advice from Local Government advisers—who are the old District Officers under a new name. The greatest handicap from which they suffer is their entanglement in politics—Action Group or N.C.N.C.: they either carry out the policies of their Regional Government or oppose them, in the latter case risking early suspension for their failure to toe the party line. This unfortunate development has made them, or some of them, really ineffective bodies for the conduct of local affairs and for the improvement of their towns or districts.

14. Another of Nigeria's great handicaps is the rife nature of graft and corruption throughout all grades of the public service, and indeed in every walk of life. Pious exhortations against this cancer in the public life are made from pulpits, in the Press and by leading citizens, but the vice is so ingrained in the attitude of the people that there is no force of public opinion to oppose it. Nurses in the hospitals need a 'dash' before they bring a bedpan to a patient; traffic police make profitable incomes on the roads; scholarships and even entry into secondary schools may be impossible, unless the right people are squared; and at the top, Ministers are alleged to accept large 'presents' from those to whom contracts are awarded. In these cases much of the responsibility rests on the shoulders of foreign firms who, in their avid desire for business, are prepared to go to these sordid lengths to obtain it. The conspiracies of silence, and the placid acceptance of this situation as one of the facts of life make inquiry and proof almost impossible, and the evil has unfortunately not been stamped out by us. It is therefore one of the serious handicaps which the new State faces. There are, of course, many Ministers who do not adopt such practices, and whose names are not connected with them: the Prime Minister, Chief Akintola in the West and Dr. Okpara in the East among them; but they, too, are almost powerless to do anything. Other Ministers probably make no personal profit, but channel the bribes into party funds.

15. Quite a different sort of threat to future stability lies in the almost pathological ill-feeling which exists between the N.C.N.C. and N.P.C. on the one hand and the Action Group on the other. There are many reasons for this feeling. The Yorubas, and especially the Ijebu section, are go-getters and trample rough shod over all who oppose them. In the Western Region it seems pretty clear that unless a man is an Action Group supporter he has little chance of preferment, and appointments to local Councils, Obaships and all other public offices are rigidly reserved for party members. Elected Councils in which a majority of elected members are N.C.N.C. are discriminated against by the Government: two have recently been dissolved and nominated caretaker bodies appointed in their stead. Constituencies, where N.C.N.C. members have been elected to the House of Representatives or House of Assembly, do not receive the same development assistance as those which returned Action Group members, and there is a great deal of ill-feeling and frustration. The N.P.C. still feel bitter about the attacks made on the Northern Emirs and their administrations by Chief Awolowo and his supporters during the last Federal elections and the Northern Ministers have some real reason for anxiety about the danger to law and order caused by unscrupulous electioneering among the primitive pagan tribesmen in the Benue, Adamawa and Plateau Provinces. Among these unsophisticated people, the mere criticism of Government, legitimate enough in a more educated and politically-conscious electorate, is bound to weaken the reins of authority and to raise problems in the maintenance of law and order. There have

already been serious affrays in Benue Province especially amongst the Tiv people and at the time of writing strong police reinforcements have had to be drafted to the area. The N.P.C. and the N.C.N.C. have already agreed, in the negotiations which led to the formation of their present coalition Government, that after Independence the Federal Government should proceed to set up a mid-West State comprising the Benin and Delta Provinces of the present Western Region, and have also decided to incorporate a portion of the Region adjacent to Lagos into the Federal territory of Lagos. This will, of course, greatly lessen the area of the present Action Group Western Government and I cannot imagine it being done without a great upsurge of political feeling which may well lead to rioting and bloodshed, and which in any case is bound to weaken Nigeria's unity at a time when the new State should be consolidating her internal situation and finding her feet in world affairs. I feel fairly certain that the Prime Minister will wish to go slowly in these matters and will try to exercise a restraining influence, but whether he will be strong enough to do so remains to be seen.

16. Much will depend on the influence which the new Governor-General will exercise. The appointment of Dr. Azikiwe has been greeted with enthusiasm by the N.C.N.C., with very modified approval by the N.P.C. and with distaste by the Action Group. Dr. Azikiwe himself has been withdrawing from active politics in recent months, has resigned his position as President of the N.C.N.C. and has shown statesmanship as President of the Senate. He has the intelligence and the wit to do the job well, if he likes, and if he is allowed to. He is looked upon as the protagonist of Nigerian independence, and even some of the Northern Emirs are prepared to give him credit for this. I must confess, however, to having considerable doubt whether he will be *persona grata* in parts of the Western Region and whether he will not find touring difficult in the Northern Emirates. He will also have to show great strength of will not to be brought far too much into political matters, especially where his old party is concerned. The Prime Minister thinks he can cope with this and I hope he is right, but the Prime Minister's own strength depends so much on the support that he receives from the North and from the Northern Premier, that I have some anxiety about the combination; especially as the two men are not really at all sympathetic personally to one another. Dr. Azikiwe is educated and cultured. He has excellent manners when he likes, and he and his wife should be able to do the honours at Government House as well as almost any Nigerian. He will be assisted, if he is really to be helped, by my present Private Secretary for about four months and by two A.D.Cs, one British and one Nigerian, who have been with me for some time. The transition should therefore be easy unless he wishes to make drastic changes.

17. Nigeria's economic progress continues and considerable interest is being shown in investment in Nigeria by many overseas countries. Two United States banks have opened their doors in Nigeria; various light industries have been started; there are big schemes in preparation for hydro-electric development; for an iron and steel industry, based on the coal and iron deposits in the Enugu vicinity. The Shell-B.P. discoveries of mineral oil have now been confirmed and the companies are moving ahead to large-scale production.⁴ Recent new wells have proved more productive than any previous discoveries, and well-informed commentators are now likening

⁴ The first oil shipments from Nigeria occurred in 1958 and crude oil production in October 1960 was over 600,000 barrels. The first oil refinery in Nigeria was opened in late 1960.

the prospects to those of Kuwait and Borneo, rather than to the smaller fields which they previously thought comparable. Plans are being considered for the erection of an oil refinery, and an ocean terminal at the old port of Bonny will be ready for large tankers by the beginning of 1961. Other oil companies are showing interest in taking up prospecting and surveying leases, and even the offshore areas are being considered. There is obviously a big future ahead in mineral oil and prospects of very large revenues. It is pity that these discoveries have come at a time when there is a world surplus of oil, and that selling prices are bound to be deflated until consumption makes up on production: nevertheless the future is bright and the revenues of the Nigerian Government cannot but benefit by these discoveries. The tin market has also improved and there is much greater prosperity now on the Plateau than in the past few years.

18. But Nigeria's main source of wealth must remain her agricultural products, and here the country depends on a fluctuating world market. With continued expansion of world trade and the maintenance of reasonable prices for groundnuts, cotton, rubber, cocoa and palm products the future prospects are excellent as greater crops are being harvested and the record crops of a few years ago are now the average to-day. A recession in world trade, however, would hit the country seriously and would hinder the plans for economic development which are so dear to the hearts of Nigerian Ministers. Political factors have crept in to the consideration given by Ministers to proposals for the establishment of light industries, and attempts are now being made to guide the siting of new projects by the use of various devices. Tariff concessions and tax abatement are sometimes refused if new projects are not sited in places which may be less suitable economically than the Lagos and Port Harcourt areas, and while one can appreciate the desire of Ministers to distribute their industrial expansion, cases have already occurred of firms who had worked out fairly firm proposals being scared away, because of this form of direction. Perhaps the Ministers will learn by their mistakes; but of course there are obvious chances for graft in all this.

19. It is inevitable that with recent events in other parts of Africa in mind there must be doubts whether Nigeria, like any emergent country, will continue to command the means whereby the administrative machinery of the country can continue to work. Here, as elsewhere, that ability must for some years depend upon the means and the will to retain the services of expatriates to man the Public Service and the public utilities. It follows too that the ability to retain officers must depend very largely upon the general climate of feeling in which those officers find themselves. It would be a concealment of the truth to say that in Nigeria now expatriate officers are collectively popular. By this I do not mean that a sudden anti-white antagonism has arisen. The actions of France in letting off her atomic bomb, and the South African Government in pursuing its apartheid policy, have certainly made the educated Nigerian more conscious of his own colour, and more vocal in his claim that Africa is a black continent. But it has not made him anti-European—provided the European keeps in his proper place. The collective unpopularity of expatriate officialdom stems, therefore, not from a dislike of individuals as such, or from any failure to appreciate past expatriate effort, but from a very understandable feeling that Nigeria cannot truly call herself an independent nation so long as she has to admit dependence on non-Nigerians to make her tick over. During the first nine months of the year, therefore, there has been an understandable increase in demand

for the replacement of expatriate officers by Nigerians in the country's shop windows. Policy-making posts (and this rather riles Ministers, who are very conscious that they and not their officials make policy) such as Permanent Secretaryships in Ministries, must be filled by Nigerians. Nigerian army officers (the two most senior are but junior majors) must quickly be placed in command of battalions and soon thereafter in command of Districts. The Inspector-General of Police (who on all sides Nigerians admit to have done a magnificent job) has been here long enough, and the question is which Nigerian police officer is being groomed to succeed him. There are all natural manifestations of nationalism, but they do add up to create an antagonism towards expatriate officials as a class, and do not constitute an encouragement to officers to stay on. It is difficult also, even for the fairest-minded Ministers, as Nigeria comes to nationhood to believe that expatriate officials give their first loyalty to Nigeria and not to the interests of Great Britain. Genuine and carefully considered advice that the claims of Shell-B.P. in oil negotiations should be considered sympathetically are treated with suspicion. Ministers just cannot believe that senior officials can strike a line between what is in the best interests of Nigeria and what is in the best interests of British trade and industry. The expatriate civil servant, therefore, has much to discourage him at this time, and as I think is inevitable, morale is low. Many good officers have a feeling that they have just about made all the contribution they can make. They have done their best to implant British principles of honesty and fair dealing; future efforts in that direction are only likely to breed greater suspicion. The time has come quietly to go and leave the Nigerians to run things after their own fashion.

20. As I said in my last despatch⁵ in this series, I think that both Nigeria and its Public Service will have to undergo a cathartic process which is unlikely to be without pain to either party. I judge that it will take some 12 months for things to settle down and for the first brashness of independence to wear off. Nigeria will have to some extent to learn the hard way, and the danger is that when the lesson has been learned too many of the props may have been cast away. If a mass exodus of expatriates in the Public Service and utilities took place the machinery of Government would inevitably grind to a standstill. Administratively ministries would continue with inexperienced staff to function. Medical (except in the Northern Region) and basic education services would be carried on. But the telephones would soon be silent; the railways would cease to carry Nigeria's exports to the coast, and the docks would cease to cope with the country's external trade. The lights actually as well as figuratively would begin to go out. But unless the country is riven by civil war and the forces of law and order break down—a calamity which I have no reason to expect—I see no danger of such a fall-out of essential expatriate staff as may bring about the dire results I have outlined. Entitled officers in the Federal Public Service are now making their options, and from the figure so far available I estimate that over the next 12 months between 30 and 35 per cent. will have retired. This very closely follows the pattern set in the three Regions, and I think that as has happened in the Regions the fall-out after the first 12 months is likely to steady down and not to accelerate to such a pace as would endanger the working of Government. Whether officers who have as yet shown no intention to leave quickly change their views will,

⁵ See 520, para 13.

I am sure, depend on three things. First, the way in which the country settles down after its first year of independence; second, the extent to which promotion is still allowed to be determined largely by merit and not by race (seven officers of Permanent Secretary rank are leaving in the next few months and the promotions which will ensue thereby should encourage younger administrative officers to remain); and third, the extent to which Her Majesty's Government's new proposals for assistance to the Overseas Service and the Government's acceptance of them adds sufficient financial inducement and security. To sum up, the effect of independence on the Public Service will inevitably be a loss of efficiency and a general slowing down. But I think that there are no good grounds to fear a real breakdown.

21. The Ashby Commission on Higher Education has recently presented its report.⁶ This Commission, composed of three eminent British educationalists, three equally eminent Americans and three representative Nigerians, was appointed 18 months ago, to enquire into the higher educational system; and to make recommendations for an increase in output of trained men and women to meet the calls of Nigeria for the next 20 years. A manpower survey carried out by Professor Harbison of Princeton University gave the Commission a target figure for the trained Nigerians required to meet the growing demands of a developing State and the Commission has suggested means of facing this tremendous challenge. The Report is ambitious and will be so costly to implement that outside financial assistance will be vitally necessary. The Government has not yet considered the Report and it will be interesting to see their reactions. How will it face these long-term proposals, and what priority will it give to manpower planning among the many demands for more immediate economic development, defence requirements and the normal growth of governmental functions?

22. This brings me to one of the most important problems which Nigeria presents to the United Kingdom Government and to the Western democracies in general. Capital for development is urgently needed, and if the progress desired by Nigerians is to be achieved very large sums of money will be required. The Niger Dam may cost 50 to 60 million, the proposed major educational drive 35 or 40 million, and other worthwhile schemes for prison improvements, hospital and medical services, better communications in roads, telephones and telegraphs, military and police expansion could absorb further large sums. It is probable that something in the order of 200 or 250 million will be needed during the next decade for such expansion. Nigeria will expect help in finding much of this from outside sources, although ready to raise as much as possible internally, and I am sure that if the Western democracies do not make an adequate contribution, the Nigerian Governments will look elsewhere. They will wish help to be provided without 'political strings' attached to it, but will no doubt feel gratitude to those countries which help them. How far Nigeria is a good investment is of course a matter of opinion, but the attachment of a large, populous and progressive African country to the Western *bloc* seems to me a goal well worth aiming at. Nigeria's geographical position and its growing influence in West Africa make it a key position in Africa as a whole. In addition to capital, Nigeria will also need skilled technical assistance for many years, and it is encouraging to see the attention which is now being given to

⁶ *Investment in Education: the Report of the Commission on Post-School Certificate and Higher Education in Nigeria* (chairman Sir E Ashby) 1960.

this need, both by the United Kingdom and by the United States. It is, however, imperative that the planning and the discussions should soon achieve concrete results, and that a stream of trained technicians should begin to flow into the country, if the vacant places are not to be filled by men with different loyalties and ideologies from elsewhere.

23. I have tried in this despatch to give a general picture of Nigeria as it now is, of its needs and requirements, and of the political forces at work. The picture is on the whole encouraging. The handover of power is being made in an atmosphere of friendship and co-operation. There are many difficulties and problems but none so great that they cannot be solved by mutual effort. There is general goodwill for the Commonwealth and the West, but I feel sure this must not be taken for granted: it must be fostered and carefully tended if it is to grow and continue. It is imperative, therefore, that in the coming years, Her Majesty's Government should make great efforts to assist the new State in every possible way—financially economically and diplomatically—and that the British people should not be too critical in Press and speech of the mistakes which Nigerian leaders are bound to make. I believe the country will hold together; I am reasonably confident that the Government machine will continue to function, and that potentially there is a bright future ahead for Nigeria.

24. On 30th September the Trusteeship Territories of the Cameroons will be separated from Nigeria and as the High Commissioner, who will then lay down his office, it is fitting that I should end this despatch with a summary of the present position, although I addressed you at some length in July about my fears with regard to the manner in which affairs might drift dangerously after the plebiscite, particularly in the Southern Cameroons.

25. In the Southern Cameroons arrangements have been made for the staffing of the Public Service which will, I trust, prove adequate and serve to avoid the danger of a complete breakdown which I at one time thought possible. The separate Southern Cameroons Public Service, which officially came into being on the 1st February, 1960, includes all those members of the Federal Public Services of Cameroonian birth who have hitherto been serving in 'Regional' departments in the Trust Territory. For the most part these are junior officers, though they do include a few professional officers and one who is of sufficient quality to act as Director of Public Works. For practical purposes the local Cameroons administrative cupboard is bare. All new recruits for the Cameroons, whether from the Territory itself or from outside Africa, have similarly been recruited into the new service. The Federal Government has generously agreed to permit Federal officers, both expatriate and Nigerian, serving in Cameroons departments to accept voluntary secondment to the Cameroons Public Service from the 1st October. For the three past months I have been gradually withdrawing to Nigeria Nigerian officers who were very understandably unwilling to remain in the Southern Cameroons on a voluntary basis, and this exercise has now been virtually completed. When options were called for from all expatriate and Nigerian officers in the Southern Cameroons earlier in the year it soon became apparent that the Nigerians would wish to revert *en masse* to Nigeria, and that many even of the expatriate officers were unwilling to continue longer than they were compelled to do. The Nigerian attitude was naturally impelled by the very anti-Nigerian feelings stimulated by Mr. Foncha and his Ministers, which made the task of trying to control subordinate Cameroonian staff a heartbreaking

one. Expatriates similarly were losing patience with inexperienced and meddling Ministers who were constantly complaining that public servants were 'unco-operative'. So that the exodus should not be wholesale, with dire results on the functioning of government thereafter, I recommended that a considerable financial inducement would have to be offered to encourage expatriate officers at least to remain to serve until after the plebiscite in Trust Territory. You accepted my recommendation in this respect and authorised a special Southern Cameroons Residential Inducement Payment (SCRIP) equal to 20 per cent. of pensionable emoluments for residential service in the Southern Cameroons after the 1st October. This tangible evidence of the value set by Her Majesty's Government on the continuing services of Federal officers during this difficult period has been successful and the final number of officers who have agreed to accept voluntary secondment is sufficient, together with the further contract recruitment which has been taking place, to lessen very considerably the possibility of a breakdown in government. The inducement has also sufficed to persuade a few Nigerian officers to offer themselves for secondment, though here difficulty is being encountered by the opposition of Cameroons Ministers to their acceptance. The Federal Council of Ministers has also made it clear in its agreement to the terms upon which officers are seconded that it must retain the right at any time to withdraw officers if dissatisfied with their treatment or because they are needed within the Federation itself.

26. The Council of Ministers has also agreed to the proposal that the present Federal services should continue to be provided by the Federal Government as paid agency services, and that the Commissioner of the Southern Cameroons should be ministerially responsible for them. It is fair to say that the actions of the Council of Ministers in these matters have been due to a readiness to help Her Majesty's Government as the Administering Authority rather than to a desire to save the Cameroons from the mess into which its Government was leading it. I am sorry that the Council of Ministers declined to consider any form of Customs Union after the 1st October and, while willing to permit Federal Customs officers to serve the Southern Cameroons as a paid agency service, insisted upon Customs barriers along the Eastern Region-Cameroon border. In reaching this decision Council quite coldly calculated what course was likely to prove most beneficial financially to the Federation, and was intent on doing everything to prove to the Southern Cameroons that separation is a less paying proposition than were the fiscal arrangements in which the Trust Territory shared under the Federation. Oddly enough, so keen are Mr. Foncha and his colleagues to be seen to be standing on their own and to be separate from Nigeria, and so convinced are they that they have had a raw deal in the past financially from the Federation, that this decision was fully supported by Southern Cameroons Ministers.

27. In the Northern Cameroons the lack of separate Government and the lesser dependence upon governmental services has in some ways made the task of separation easier. The Northern Region Government has agreed to make staff available to the Administrator for the running of Regional activities, and the Federal Government has similarly agreed to provide paid agency services in respect of the Federal services. Except in the case of the Police, where the reorganisation of the Native Authorities has created the need for a very considerable increase in the establishment of the Nigeria Police Force, these Federal services do not amount to very much. A satisfactory financial arrangement has been made whereby the revenue

nominally accruing to the Federal Government from the Northern Cameroons has been agreed to equal the cost of the Federal paid agency services at their normal pre-1st October establishment. Increases in establishment due to the creation of a separate administration or to the plebiscite (including 50 of the extra police) will be charged outside this arrangement and the cost of this will be met by Her Majesty's Government. Here, too, there seems no reason to fear that the staff arrangements will be insufficient to maintain Government services.

28. Arrangements for the maintenance of law and order in both parts of Trust Territory have caused some concern. The Prime Minister of the Federation was prepared from the outset to provide Nigeria Police under the paid agency agreement, and he has in recent weeks agreed with some reluctance to further increases in establishment in both territories. But I had some initial difficulty with him over the emergency police training school set up in the Southern Cameroons to provide 100 extra men of local origin. I think that was chiefly due to a misunderstanding on his part and he is now quite happily reconciled to it. But from the start the Prime Minister has set his face against accepting responsibility for the provision of military forces from Nigeria, though I believe he would have been prepared to agree if it had been possible to arrange that an invitation to do so could have come from the United Nations. I appreciate the reasons why your advisers, both in London and in New York, did not consider such a suggestion possible. But this decision has raised the whole problem of military backing in the Trust Territory—a problem made acute by the serious disorders which have been in existence for more than two years in the neighbouring Cameroun Republic, and which have necessitated the garrisoning of the Southern Cameroons by at times as much as two battalions of the Queen's Own Nigeria Regiment. In the event you were advised that the only course was for United Kingdom troops to be deployed, and the advance parties of the King's Own Border Regiment are now busy taking over from Nigerian troops. I have always maintained that there is no necessity for the garrisoning of the Northern Cameroons (and indeed the administrative problems posed would make this an exercise which one would wish to avoid), but I have stressed that troops deployed in the Southern territory must be available to answer calls for help from the Administrator of the Northern Cameroons if the situation requires it. A cut and dried security scheme embodying a modest airlift of at most a Company of troops from the Cameroons must be worked out for the Northern Cameroons. I think it likely that if the situation in the Northern Cameroons was such that the Administrator required more than one Company, then the circumstances would be such that the plebiscite could not easily be held, at least under conditions which would not be an embarrassment to Her Majesty's Government at the United Nations. So much for the arrangements which have been made for the administration of the Trust Territory as units separated from the Federation. I believe that these arrangements are adequate. They are certainly the best which in the difficult circumstances can be made.

29. The plebiscites themselves will be held on the 11th February and the implication in both parts of the Trust Territory of a vote in favour of independence as part of the Federation of Nigeria are clear. While it has been possible to bring the Government of the Cameroun Republic and the Government of the Southern Cameroons together in meetings to discuss the form which unification would take, I fear that little concrete has yet emerged from the meetings which have been held. In principle there appears to be agreement upon some loose form of federation, but I

believe that if the vote in the Southern Cameroons goes in favour of unification, and the Trusteeship is terminated by the end of June 1961, unification as any reasonable person would understand it will not take place. The blunt fact is that the Cameroun Republic is itself not properly viable, and I see no prospect of it being able to perform the functions of a sovereign State with regard to any accession of territory which may nominally come to it as a result of the plebiscite. Although Mr. Foncha may be able during the period leading up to the plebiscite to point to a paper agreement as to the form unification would take, he will know in his own heart, and a great many voting in his support also will know, that the paper plans carry no intent of implementation for some considerable time. Mr. Foncha still believes that he will be given an opportunity to 'grow slowly together' with his brothers across the border, and those who vote for independence with the French Cameroun will do so not with the idea of unification but with the knowledge that the vote for unification is a vote against joining Nigeria, and in the hope that the dream of unification will not come true for many a long day. I still think that the international dangers from the situation which is likely to arise are very considerable.

30. M. Ahidjo has not yet made any pronouncement as to the terms upon which the Northern Cameroons would be unified with the Cameroun Republic, and, so far as I know he has not yet been pressed on the matter. I consider that if Her Majesty's Government is to fulfil its duty to its wards in the Northern Territory he should be so pressed, so that at least the people would have some idea what they are voting for. There is a slight danger that elements in the Northern Cameroons who oppose the N.P.C. may vote in favour of the Cameroun Republic, or may even seek to encourage people to abstain from voting. But I hope that the Action Group, which is politically behind such feeling within Nigeria, will be content to present a front of solid Nigerian loyalty and to advise those who dislike the Northern Region to bide their time and work for some status separate from that Region (possibly as part of some Middle Belt State) within the framework of the Constitution and after their return to the Federation. I think that there are good grounds for hope that the Northern Territory will on this occasion vote for Nigeria. If it be otherwise, then I foresee that the Government of the Northern Region will seek once more to find scapegoats, and those scapegoats will be found in British officers and British influence. For this reason, and although economically the Northern Trust Territory has nothing to offer the Federation, if it is finally lost to the Federation it might indeed have the gravest results upon the stability of the Federation itself.

542 CO 554/2309, no 4

16 Sept 1960

[HMOCS]: despatch no 2022 from Mr Macleod to Sir J Robertson on Special List B

[As independence approached there was much press criticism of the presence of expatriate officials in the Nigerian public service. On its side the CO was concerned at the falling numbers of such officers. In June 1960 some 1,749 out of the 4,057 senior posts under the Federal government were held by expatriates; the majority of these were contract posts but 710 had joined Special List B and 600 or so of these were expected to elect to remain in post after independence (DO 177/51, no 5, *Matters Arising from the Final Report of the Parliamentary Committee on the Nigerianisation of the Federal Public Service; Sessional Paper no 2 of 1960*).]

I have the honour to invite attention to the exchanges between Her Majesty's Government and the Federal and Regional Governments concerning the arrangements, made in respect of overseas officers serving in Nigeria, which are known as Special List B. It has been the intention that these arrangements should be incorporated into a formal agreement between H.M. Government and the Nigerian Governments and the drafting of such an agreement was well advanced. As a result of delays which occurred while certain details were being settled and of the pressure under which the draftsmen have been completing the instruments relating to Nigeria's independence, it has however not been possible to complete draft agreements in time for them to be submitted to you and finalised before the 30th September. In these circumstances I propose that this despatch, together with your reply and that of the Governors of the Regions, should constitute the necessary agreement between us.

2. The arrangements in respect of Special List B were set out in the annex to Cmnd. 497—'Statement of policy regarding Overseas Officers serving in Nigeria'—of which a copy is attached, and have been accepted by the Nigerian Governments subject to the modifications described below.¹

3. I have since agreed with all Governments that no advance should be made to an officer who has proceeded on leave prior to retirement and that the Governor-General or a Regional Governor in allowing a Special List B officer to retire with less than twelve months notice should act on the recommendation of the Public Service Commission of the Region or the Judicial Service Commission as the case might be. I have also agreed that abatement of advances in the case of officers who qualify for it should be calculated with reference to the revised salary scales introduced with effect from the 1st September, 1959, in the Federation and the Northern Region, with effect from the 1st April, 1959, in the Western Region and with effect from 1st April 1960 in the Eastern Region, in so far as the revised scales may be applicable to the abatement earned by an individual officer.

4. The Federal Government and the Government of the Northern Region accepted the arrangements in the White Paper modified as I have just stated.

5. The Government of the Western Region stipulated that an officer selected for admission to Special List B would be required to undertake to serve for a given number of years and if he retired before they had expired, would be liable to forfeit a sum equal to 10% of his entitlement to compensation; provided that any officer who gave at least one year's notice of his intention to retire would be exempt from such penalty and that in the case of an officer who had not given at least one year's notice, the Government, having regard to the circumstances, might waive part or all of the penalty *ex gratia*. In the case of an officer who was granted freezing privileges the penalty referred to would be in substitution for and not in addition to the penalty prescribed in paragraph 9(2) of the Second Schedule to the Retirement Benefits Order in Council, 1958 (which will become paragraph 9(2) of the Third Schedule to the Nigeria (Retirement Benefits) Order in Council, 1960). Further, at the end of the stipulated period for which an officer undertook to serve, he would have to retire unless the Government invited him to extend the period. The Western Region Government also proposed that while the Government would select the grades or

¹ Not printed. See 453.

posts to which Special List B conditions should apply, the responsibility for recommending the admission of officers should rest with the Public Service Commission of the Western Region. I accepted these modifications.

6. Similarly, the Government of the Eastern Region stipulated that an officer would be required to give one year's residential service as notice of retirement but would not be entitled to give such notice until one year had elapsed since he had been accepted for admission to the List. An officer who retired without giving the required period of notice would be liable to forfeit a sum equal to 10% of his entitlement to compensation. The Government would reserve the right to terminate the service of any officer having given him one year's residential service as notice of termination, but would not be entitled to give such notice until one year after the officer had been accepted for admission to the List. The Eastern Region Government also said that while the Government would select the grades or posts to which Special List B conditions should apply, the responsibility for recommending the admission of officers should rest with the Public Service Commission. After discussion with the Eastern Region Government, I accepted these modifications also.

7. For constitutional reasons it has been necessary for H.M. Government to provide its half share of the advances mentioned in paragraphs 7 and 8 of the Annex to Cmnd. 497 as loans in all cases to the Federal Government and not to the particular Nigerian Government concerned. In consequence these loans (less abatements in accordance with paragraph 9 of the Annex to Cmnd 497) will be repayable to H.M. Government by the Federal Government in the first instance, any corresponding recovery from a Regional Government being effected locally.

8. I should be grateful if you would confirm on behalf of the Government of the Federation and if the Governors of the Regions to whom this despatch is being copied would confirm on behalf of their Governments that this despatch sets out correctly the arrangements which have been agreed between us.

9. I should add that I have had under consideration the possibility of exempting from United Kingdom income tax that part of a Special List B officer's pension which corresponds to the amount of contributions which he may still be paying under the Nigerian Widows' and Orphans' Scheme. It may be necessary in order to overcome this difficulty to suggest some minor modification of the arrangement whereby the pension of a Special List B officer is payable in the first instance by H.M.G., and I hope to communicate with you on this point very shortly.

543 DO 35/10491, no 33

17 Sept 1960

[Commonwealth]: outward telegram no GG278 from Mr Macmillan to Sir J Robertson announcing Nigerian membership of the Commonwealth

My immediately preceding telegram.

Message from Prime Minister.

Begins. 'At their meeting in London in May this year the Commonwealth Prime Ministers extended to the Federation of Nigeria their warm wishes for its future, and looked forward to being able to welcome an independent Nigeria as a member of the Commonwealth on the completion of the necessary constitutional processes.'

'As you know, the final stage of Nigeria's progress towards Independence was reached with the giving of the Royal Assent to the Nigeria Independence Bill, and the effect of this Assent is that as from 1st October Nigeria becomes a fully independent Sovereign State.

'It is with pleasure that I can tell you, after consultation with the other Commonwealth Prime Ministers, that they have all agreed that Nigeria shall as from 1st October be recognised as a Member of the Commonwealth.' *Ends.*

544 CO 554/2536, no 63 19 Sept 1960
 [Commonwealth]: outward telegram no 221 from Mr Macleod to Sir J
 Robertson on Nigerian attitudes to South Africa

H.M.G. are anxious that Abubakar should not take up in public attitude opposing South Africa's continued membership of Commonwealth if result of referendum on 5th October is in favour of republic, and I should be glad if you would take very early opportunity of talking to him about it and putting following arguments to him.¹

2. We know how Abubakar and people of Federation feel about apartheid; we and other Members of Commonwealth have already made it clear to Union Government that their policy strikes at heart of our concept of Commonwealth as a multi-racial society. We do not know how referendum will go but it is likely that there will be majority in favour of republic and that Union Government will seek consent of other Commonwealth Governments to her continued membership as republic. Abubakar will recognise that question of South Africa's continued membership in these circumstances will have to be decided by all Commonwealth Prime Ministers, perhaps at a meeting, and that he will have same opportunity as other Prime Ministers of exchanging views freely and in confidence. But we shall all want time to consider fully among ourselves this complicated and far-reaching question and until we have done so our feeling is that we should all say as little as possible in public about our eventual attitudes.

3. If you see no objection you could put to Abubakar following considerations which we shall all have to weigh.

4. If by collective action or inability to agree on part of Members of Commonwealth, South Africa is excluded, this will certainly not lead Dr. Verwoerd² to change his policies. In our view, to keep South Africa in Commonwealth, and within our counsels, gives us best chance of working South African Government into more enlightened attitude, though at best this will be a long process.

5. Commonwealth is an association of peoples, not only of Governments. To expel South Africa would be to exclude entire African population, who will have had no voice in referendum, and also progressive elements among white South Africans, from all future hope of Commonwealth's benefits and moderating influences. We feel that these people will have more hope for future of their country and will be encouraged in their difficult roles if South Africa remains in Commonwealth rather than if she were totally isolated. Proponents of apartheid who want only to be left

¹ On 5 Oct white voters in South Africa voted in favour of establishing a republic; as a consequence South Africa, following a meeting of Commonwealth prime ministers in London in March, left the Commonwealth in May 1961.

² Prime Minister of South Africa, 1958–1966.

alone to pursue their policies free from all outside influence would, in our view, be only ones to gain from South Africa's exclusion.

6. It is fully accepted in Commonwealth that choice of form of Government, i.e., whether monarchy or republic, should be regarded as an internal matter for the country itself to decide. Having regard to existing precedents, it would be invidious to take opportunity of change to a republic, which is admittedly within South Africa's sole discretion, to object to South Africa remaining a member of the Commonwealth. Implication is that such objections would be founded on condemnation of apartheid, but that is not the issue. There would be nothing to prevent opposition to apartheid being carried on separately and, as indicated above, this in our view could be done more effectively with South Africa within the Commonwealth rather than out of it.

7. You could tell Abubakar in strict confidence that in recent talk with Commonwealth Secretary Nkrumah, despite his known strong feelings about South Africa, was influenced by above arguments and seems to have been convinced that to oppose South African membership would not further the cause of non-white population in Union. But Nkrumah could clearly not carry this line if Abubakar came out publicly against South Africa's continued membership. With Nigeria and Ghana on record in favour of excluding South Africa there would be no hope of restraining Malaya while India probably followed by Pakistan and Ceylon would almost certainly feel bound to give support to that view. Result might well be a split in Commonwealth between white and non-white Members; it would make mockery of image of Commonwealth as multi-racial association and would make co-operation between the two groups much more difficult.

8. If you see no objection please use this material to urge Abubakar as strongly as you can to exercise restraint in public on issue of South African referendum both in the meantime and after result is known. Alternatively, matter could be left until independence with a view to Lord Chancellor or Lord Head raising it with Abubakar, but opportunity for full discussion might not arise during celebrations and subject to your views we feel that best chance of influencing Abubakar in right direction lies in your speaking to him yourself.

545 DO 177/8, no 27

1 Oct 1960

'Independence day messages to the Federation of Nigeria': CRO press release

[Princess Alexandra represented the Queen at the independence ceremonies in Nigeria on 30 Sept and 1 Oct and read the speech from the throne at the opening of the Nigerian Parliament on 3 Oct. Hunt described the moment of independence in Lagos: 'On 30th Sept, after a State Banquet at the new Federal Palace Hotel, the Royal party attended at the Racecourse, which had been almost completely surrounded by stands seating about 30,000 people, a tattoo on the best Royal Tournament lines, staged by units of the Royal Nigerian Navy, Royal Nigerian Military Forces, the Nigeria Police, Mounted Native Authority Police from the Northern Region and the bands of the Royal Nigerian Military Forces, the Nigeria Police and the Royal Marines. The final item was a presentation of "A Modern Battle", a good deal noisier than the real thing and all the more appreciated by the audience. General Foster estimated that sufficient thunderflashes were exploded to last the British Army of the Rhine for a year. Shortly before midnight, Guards of Honour including contingents from the Armed Forces of the other Commonwealth countries which were in Lagos were drawn up in a hollow square around the flagstaff and the Prime Minister, Alhaji Sir Abubakar Tafawa Balewa and the Governor-General, Sir James Robertson, walked together from their seats in the Royal Box to a dais facing the flagpole.

At midnight, the Guards of Honour presented Arms and "God Save the Queen" was played, and sung by the spectators. The spotlight on the Union flag was extinguished; when it was relit, the green and white Nigerian flag had taken the place of the Union flag at the top of the pole. I understand that this nice touch was the personal inspiration of the Prime Minister. To the accompaniment, in the background, of the hooting of the sirens of ships in Lagos harbour, the new national anthem was played and sung for the first time on a public occasion in Independent Nigeria. Fireworks lasting more than an hour concluded a noisy and well arranged ceremony. The timing and execution were throughout excellent. I was struck throughout by the mood of the spectators, described happily by the High Commissioner as one of joyful dignity' (DO 35/10428, no 102, Hunt to Duncan Sandys, 27 Oct 1960).]

Following are the texts of messages which have been sent to the Prime Minister of the Federation of Nigeria (Alhaji Sir Abubakar Balewa).

From the Prime Minister (Mr. Harold Macmillan):—

'I am delighted to send you by the hand of my Colleague and Friend, the Lord Chancellor, the Leader of the United Kingdom Delegation, this message of friendship and goodwill from the Government and people of the United Kingdom.

On this historic day, the Federation of Nigeria achieves her Independence and we are glad to rejoice with her. It marks the fulfilment of what our Governments have worked for together over the past years and we wish you well in your future. It is a source of pride to us in the United Kingdom to be able, by your own decision, to welcome your great and growing country as a Member of the Commonwealth, and I look forward with confidence to the continuance of the happy relations which subsist between us.

I send to you cordial greetings from myself and my colleagues and our most sincere wishes for the continued progress and prosperity of your country.

(SGD) Harold Macmillan'

From the Secretary of State for the Colonies (Mr. Iain Macleod):—

'On the day of Nigeria's Independence it gives me great pleasure to send to you and all the people of Nigeria this message of good wishes from myself personally and from the staff of the Colonial Office. I am happy that independence should have come during my tenure of office as Secretary of State but I know that my predecessors who see their policy fulfilled today join with me in wishing Nigeria all success in the days ahead.

Although my official association with Nigeria is at an end I shall continue to take a lively personal interest in the affairs of your country and with all her many friends here look forward confidently to a bright and happy future to crown the work we have done together in the past.'

From the Secretary of State for Commonwealth Relations (Mr. Duncan Sandys):—

'I am very happy as Secretary of State for Commonwealth Relations to be able to send you today my warm congratulations on Nigeria's achievement of Independence.

She now takes her place as a free and equal partner, not only in world affairs, but also in the Commonwealth. This marks a further milestone in the growing development of our world-wide society of free nations. The Commonwealth will I am sure draw fresh strength and influence from the accession of Nigeria to its councils.

I look forward to the pleasant duty of working closely with you and your colleagues, and hope before long to be able to visit your great country myself.'

Appendix to Part II

The Northern and Southern Cameroons

1 CO 554/2257, no 7 17 Feb 1961
 [Plebiscites]: minute by C G Eastwood on the results of the
 Cameroons plebiscites

[On 1 Oct 1960 both Northern and Southern Cameroons were separated from Nigeria; it had been agreed by the UNO that plebiscites on the future of the territories and offering a choice between joining Nigeria or the Republic of Cameroun would be held on 11 Feb 1961 (see 495). While Endeley and the opposition KNC/KPP alliance supported the Southern Cameroons becoming a separate region within Nigeria, the ruling KNDP under Foncha had long argued for union with Cameroun. During late 1960 however, Foncha, aware of his limited bargaining power vis-à-vis Cameroun, swung round to support for continued British trusteeship and an indefinite period of transition before union would be implemented. The CO view however, was that this would not be acceptable to the UNO, would be financially immensely expensive to Britain and would give encouragement to the anti-government and, it was believed, communist-inspired terrorist movement operating in Cameroun; to deal with any spill-over from the latter a battalion of British troops was stationed in the Southern Cameroons after 1 Oct 1960. At a meeting with Foncha on 11 Nov 1960, Macleod made it clear that Britain would not be prepared to continue trusteeship after 1961. The results of the Feb plebiscites, as this document makes clear, were unequivocal and once they were endorsed by the UNO in April, the Northern Cameroons became part of the Northern Region on 1 June 1961. The situation in the Southern Cameroons, which had voted for union with the Republic of Cameroun, was more complex and necessitated lengthy negotiations over constitutional arrangements with Ahmadou Ahidjo, the Cameroun President, at conferences at Buea (see appendix document 2), Foumban and Yaoundé in June, July and Aug 1961. British fears that delays in implementing the plebiscite decision would lead to 'another Congo' in the Cameroun were expressed in this period by both Sir Norman Brook (CO 554/2257, no 35, Brook to Poynton, 17 Feb 1961) and Perth (CO 554/2188, no 30, minute by Perth, 30 May 1961) and led to increased British pressure on Foncha. 'A communist dominated government here besides being dangerous to Nigeria and damaging to our international reputation would also materially affect the whole balance of power in western Africa' (CO 554/2188, no 50, minute by Eastwood, 12 June 1961). On 1 Oct 1961 the Southern Cameroons joined the Federal Republic of Cameroun and British trusteeship was at an end.]

We have been discussing with the Foreign Office and the C.R.O. the situation regarding the Cameroons as a result of the plebiscites.

2. There was a heavy poll in both North and South. Fears of substantial abstentions proved groundless. This is satisfactory.

3. The South has voted overwhelmingly for the Republic (233,571 to 97,741). This is completely conclusive.

4. The North has voted for Nigeria by a smaller but sufficient majority (48,637). [For Nigeria 146,296; for Republic 97,659.] Voting in the North

was, in round figures, 60 per cent for Nigeria and 40 per cent for the Republic.¹

5. We have not yet details of the voting by districts in the South.² It hardly seems likely, however, that any district, except possibly Mamfe Oversea, voted overwhelmingly for Nigeria. In the North the Chamba district voted for the Republic (25,000 to just under 10,000) and in Dikwa Central there was only a bare majority for Nigeria. We do not think that there is any likelihood of a demand for partition in either the North or the South becoming a serious issue. It would be most unlikely in any case to be viewed with favour by the U.N. unless it had the strong support of both the Republic and Nigeria. We feel we should do our best to prevent any demand being made; it would only be likely to stir up bad blood between Nigeria (both the Federation and the North) and the Cameroons and/or ourselves.

6. The French Ambassador in Yaounde put the results that the Republic wanted from the plebiscite in the following descending order of preference:—

1. Win the North and lose the South;
2. Lose both.
3. Win both.
4. Win the South and lose the North.

We believe this to be roughly correct. They undoubtedly attached importance to getting the North and are correspondingly cross at not having done so. Ahidjo, himself from the Northern part of the Republic, is embarrassed by the accession of strength to the Southern part of his country.³

7. The Republic have already complained to our Ambassador about the handling of the plebiscite in the North, giving him a note which he felt bound to refuse to accept. The complaint was completely unsubstantiated and made before details could possibly have been available. Similar complaints have been made to the U.N. We think that Dr. Abdoh, the U.N. Commissioner, will give us a reasonably clean bill. We are hopeful therefore that there will not be too much difficulty over the complaints by the Republic at the U.N. The situation would be much more difficult if there had been a really narrow majority for Nigeria. It is too early to be quite certain whether we shall have trouble over this.

8. Sir Andrew Cohen advises that if we so desire (and we do—see below) it should be possible to arrange for the termination of the Trusteeship separately for the North and for the South. There will be some difficulty over this since we only have one Trusteeship Agreement for the two parts and Krishna Menon⁴ apparently holds as a

¹ Concern at Foncha's waning enthusiasm for merger with Cameroun had been expressed by Perth, '... What would worry me is if a sequel to the Southern Cameroons' try for independence was that the Northern Cameroons went the same way. That would really I think upset our relationship with Nigeria as a whole and for a long time to come, and that is something which we must at all costs avoid. The Southern Cameroons and its inhabitants are undoubtedly expendable in all this' (CO 554/2412, no 27, minute by Perth to Martin, 12 Oct 1960).

² Eastwood added in the margin at this point, 'Figures now in. NW Kumba voted overwhelmingly for Nigeria. NW Victoria, Wum Central and most of Nkambe had majorities for Nigeria tho' mostly not large ones'.

³ Ahmadou Ahidjo, leader of the Union Camerounaise, prime minister of French Cameroons 1958–1960, president of the Republic of Cameroun 1960–1982.

⁴ V Krishna Menon, Indian high commissioner to the UK, 1947–1952 and defence minister, 1957–1962. He was also Indian representative to UNO on several occasions.

doctrine of faith that therefore it can only be terminated as a whole. However, separate dates would be so obviously sensible that it should be possible to overcome this difficulty.

9. Dr. Abdoh, who is going to Nice for a fortnight while his report is being written, expects to present it to the Trusteeship Council shortly before Easter. It will thus come before the Trusteeship Council either just before or soon after Easter and be passed on by them almost automatically to the General Assembly. The Assembly should therefore take it during April.

10. In the North we could be ready for the termination of the Trusteeship as soon as is decent after the end of April. Our Administration is, except for the Administrator himself, composed entirely of staff (expatriate and local) lent by the Nigerian Northern or Federal Governments. All that will be needed on our side for an effective transfer is the removal of Sir Percy Wyn-Harris. His Deputy, Mr. Muffett, would then become the Resident of the Nigerian Province. On the Nigerian side, an amendment of the constitution will be required but provision has been made for this to be done by an easy procedure. Our responsibility in respect of the North could probably therefore be ended by about the 1st June or possibly a little earlier. (From a merely financial point of view, the earlier the better since the Administration costs us quite a lot of money).

11. We suggest, and the C.R.O. strongly favour this, that we should immediately communicate with the Nigerian Government to seek their views and tell them that for our part we would like the hand-over to be done as soon as possible after the U.N. have considered the matter. Sir Andrew Cohen advises that we should not commit ourselves to a precise date since tactical considerations in the United Nations make some flexibility advisable.

12. The South is much more difficult. Foncha has of course secured a striking victory. All previous guesses that he would only win with a small margin have proved false. The Opposition have been reduced to relative insignificance. We do not know exactly how Foncha will now want to play his hand. He did not succeed in getting Ahidjo's agreement either to his idea of a period of separate independence or to the details of the proposed Federal Constitution. It does not follow from this that he will still wish to play unification 'long'. We know that he is under pressure from the Communist-dominated O.K.P. and he has spoken of aiming to overthrow Ahidjo rather than seek agreement with him. He may therefore have new ideas for achieving his objectives, whatever they are. Even though he has only a bare majority in his legislature, he will be in a strong position, backed by the overwhelming vote in the plebiscite. He may indeed seek a general election so that this may be reflected in the legislature.

13. Mr. Jerrom who, following a C.C.T.A. meeting in Lagos, is just back from a short visit to Buea said that all was quiet there on Wednesday when he left and Dr. Abdoh seemed reasonable happy.

14. Equally, we do not know how the Republic will want to play things. As already stated, Ahidjo is probably embarrassed. He and Foncha have got no distance in working out the terms of a federation. The problems are very great and Ahidjo has spoken of the eventual constitution being put to a referendum.

15. Sir Andrew Cohen advises that the General Assembly in April is certainly likely to think that the Trusteeship must be terminated by the end of the year at the latest. Indeed there will be much pressure for it to come to an end earlier. We have

no desire to quarrel with the U.N. over this nor to hang on to the country for any length of time. But it is most definitely not in our interest or in that of 'the West' generally, that we should pull out before we can be reasonably sure that the new Camerounian Federation will prove workable and reasonably stable.

16. In these circumstances it seems to us that the best tactic at the U.N. will be to try to get the General Assembly in April to agree that a date for termination of Trusteeship in respect of the South should not be fixed until their next Session in the autumn. If the U.N. thinks this too vague, as Sir A. Cohen thinks they almost certainly will, we could accept that it should be terminated 'at the latest by the end of 1961'. If in the autumn this is obviously impracticable we should have to ask for an extension, a difficult but perhaps not wholly impossible task.

17. The communiqué issued as the result of the talks with the Southern Cameroonian representatives in November spoke about arrangements for the 'Federal United Cameroun Republic' being 'worked out after the plebiscite by a conference consisting of representative delegations of equal status from the Republic and the Southern Cameroons. The United Nations and the United Kingdom would also be associated with this conference'. This conference cannot, it seems to us, properly take place until Dr. Abdoh has reported and his report has been considered by the General Assembly but we feel that we should take immediate steps to set the ball rolling. We propose, therefore, that our Ambassador in Yaounde should suggest to the Republic immediate talks between the U.K. as Administering Authority, the Republic and Ministers from the Southern Cameroons. The object of this meeting would be primarily to set the stage for the action that will be required in the coming months and to have preliminary discussions. Because it would be important to have Ahidjo present and he is Head of State, it seems that the talks would have to take place in Yaounde. Mr. Foncha would no doubt want to bring one or two of his Ministers (we hope not more). Mr. Field would have to be there, perhaps with a Legal Adviser. The U.K. should be represented by a senior official (probably, I fear, me). Mr. Field suggested that to secure Mr. Ahidjo's interest it might be well for the U.K. team to be led by a Minister but the Foreign Office view was that at this preliminary stage this was unnecessary. It was thought that neither the Southern Cameroons Opposition nor Nigeria should be represented at this preliminary, mainly procedural, discussion though the intention was that they should be present at the full Conference.

18. It had long ago been arranged that Sir Roger Stevens, who has been at the E.C.A. Conference in Addis Ababa and since then in Nairobi and Leopoldville, should spend Monday and Tuesday in Yaounde on his way home. It has been suggested to him that he should put the idea of these preliminary discussions to the Cameroun authorities when he sees them. From Yaounde he comes straight home via Paris where he spends a few hours and may see the French authorities.

19. At these preliminary discussions, apart from the procedural arrangements for the preparation of a Federal constitution, we are likely to be asked questions about staff, police, militia and finance. Most of the expatriate senior staff in the Southern Cameroons come from Nigeria and are unlikely to stay on after integration. Of the 700 or 800 members of the Nigeria Police Force now in the Southern Cameroons, all of them Cameroonians by birth, it is estimated that about 500 and four very junior officers may stay on. We have no other plans for a defence force.

20. We have always thought that if the Southern Cameroons voted for the Republic some kind of 'dowry' would be necessary for her on parting plus at least

technical aid thereafter. We propose to clear our ideas on this with other Departments and submit the papers shortly for approval of the principle of this.

21. We cannot yet see the way clearly as to how the formal Conference is to be handled after the U.N. discussions in April. Sir A. Cohen feels strongly that we should keep the initiative and take the chair at this Conference. The U.N. will probably have to be represented not from the Secretariat but by persons chosen from delegations.

22. We shall have to tell the French our ideas. They were very anxious that we should not terminate the trusteeship too soon because they feared a security vacuum.

23. Foncha will no doubt ask us for immediate changes in the Southern Cameroons constitution. It has been open to them for the last two years to request the withdrawal of the Deputy Commissioner from the Executive Council and the appointment of a Minister of Finance. We could also be asked to review the arrangement whereby the Commissioner presides over the Executive Council. If these requests are made they may cause us some embarrassment. While probably the Deputy Commissioner could without much difficulty leave the Council, there might be difficulty about a Minister of Finance at a time when the country is bound to be grant-aided. It would seem that at this juncture the Commissioner would have to continue to preside in the Council. However we can leave these questions over until we are asked.

24. The Secretary of State may feel that his colleagues should be informed of the position. The concurrence of the Treasury (as well of course as the F.O.) would naturally be necessary if it is desired to say anything about financial assistance after the ending of Trusteeship.

The above represents the conclusions of the meeting yesterday morning but does not take account of the subsequent reactions of the Cameroun Republic to the result of the plebiscite in the North.⁵

⁵ There were strong complaints expressed by Ahidjo about the result in the North, which he blamed on partiality by British and Nigerian officials. Ahidjo's complaints, which he took to the UNO, reflected his concern that the accession of the Southern Cameroons, without the North, would upset the ethnic balance in Cameroun.

2 CO 554/2188, no 54

23 June 1961

[Southern Cameroons]: telegram no CC45 from Mr Macleod to J Field on the date of British withdrawal from the Southern Cameroons

Following telegram of 23rd June from Foreign Office addressed to Yaounde No. 197 and to Southern Cameroons, repeated for information to Lagos and Paris, saving to U.K.Mission New York.

Begins.

Following is message referred to in my immediately preceding telegram.

Begins. Her Majesty's Government have carefully considered the report they have received from their delegation to the recent tripartite talks in Buea and desire to convey the following expression of their views to the President of the Republic and the Premier of the Southern Cameroons.

2. Her Majesty's Government consider that the terms of the United Nations resolution are such as to require the termination of United Kingdom Trusteeship on October 1st and that, after that date, Her Majesty's Government will accordingly

cease to have any responsibility for the affairs of the Southern Cameroons. Her Majesty's Government consider that this must be regarded as a final decision by the United Nations and would not be able to support any proposal for extension of United Kingdom Trusteeship or any other arrangement other than that the Southern Cameroons joins the Cameroun Republic on October 1st.

3. Her Majesty's Government have also studied carefully the views expressed at the tripartite talks on the question of the use of the United Kingdom battalion for the maintenance of security after October 1st. While Her Majesty's Government fully appreciate the anxieties felt by the other parties to the talks on this question, they see no alternative but to reaffirm their decision to withdraw the United Kingdom battalion on October 1st as quickly as possible and for it to cease exercising any responsibility for security after October 1st.

4. In these circumstances, Her Majesty's Government consider it incumbent upon them to make it clear that they see no grounds on which they would be entitled to oppose in the United Nations or elsewhere any arrangements that may be made for ensuring security by the forces of the Cameroun Republic. They hope that such arrangements would be agreed upon by the Southern Cameroons and the Cameroun Republic, so as to come into force on October 1st when Her Majesty's Government would cease to have any part to play.

5. Her Majesty's Government have learnt with regret that there was a divergence of views between the Cameroun Republic delegation and that of the Southern Cameroons over the question of the constitutional arrangements which would come into force on October 1st. As was stated by the United Kingdom delegation, the question of constitutional arrangements relating to the two territories after October 1st can only be regarded as a matter for the Cameroonians themselves. They, therefore, express the strong hope that by further meetings and discussions between the representatives of the Southern Cameroons and of the Cameroun Republic, ways will be found to overcome the present divergence of views. Her Majesty's Government do not feel it right that they should take sides on this matter. Their own view is that, whatever interpretation may be put upon the wording of the United Nations resolution, the smooth and successful transition to unification of the two Cameroons on a federal basis can only come about through mutual goodwill and understanding of the other point of view. Her Majesty's Government feel sure that, since it is the declared wish of both sides that the two countries should unite, ways and means can be found to bridge the present gap between the two points of view. They recall the proposal that a provisional federal organ consisting of representatives of both sides should be established on October 1st, which would then elect a President; but there may be other possibilities which could be explored. Her Majesty's Government would be willing to use their good offices in assisting the two sides to reach agreement if this were desired. They very much hope that, since termination of Trusteeship on October 1st must be regarded as inevitable, the intervening time will be used to secure a solution of the constitutional question.

6. Her Majesty's Government recognise that the decision to withdraw the United Kingdom battalion after October 1st may well result in a number of expatriate officers and other civilians at present living in the Southern Cameroons leaving the territory by that date. While this situation is regretted, clearly the decision whether to stay must be regarded as a matter for the people concerned, and, if necessary, Her Majesty's Government will take such steps as are required to enable them to leave. It

follows from this that it will not be practicable to provide a United Kingdom technical aid mission after October 1st. Her Majesty's Government are, however, anxious to give what assistance they can to enable the Southern Cameroons Government to continue to function and will be prepared, as soon as Federation is instituted, to make a free grant to the Southern Cameroons of £½ million to enable it to meet its immediate financial obligations. As has already been stated, they will also continue, for a limited period, the existing preferences on Southern Cameroons produce entering the United Kingdom market.

7. Her Majesty's Government hope that this statement of their views will be of assistance to the two parties in reaching an accord on the matters that remain to be settled before October 1st. *Ends.*

3 CO 554/2259, no 247 1 Oct 1961
 [Southern Cameroons]: telegram no 3 from M N H Milne¹ to C G
 Eastwood reporting on the withdrawal from the Southern Cameroons

Following for Eastwood, Colonial Office, from Milne dated October 1.

Field and Mrs. Field embarked on H.M.S. Diana at 3.30 p.m. yesterday after a moving and impressive ceremony on Bota Wharf. Guard of honour were provided by Cameroon Republican Army and Grenadiers. Foncha and Ministers together with large numbers of prominent persons and personal friends of the Fields were present. Seldom can Amba Bay have appeared more beautiful. There was brilliant sun, blue sea and a cool breeze. Great skylines over the partially obscured Cameroon mountain provided magnificent backcloth and away to the west the summit of Fernando Po stood out above a girdle of cloud of unearthly beauty. Whatever the criticisms of our recent policy towards the Territory may be it cannot be denied that the departure of Her Majesty's Representative was a dignified occasion set in a scene of great splendour.

2. President Ahidjo's aircraft landed punctually at 5 p.m. He was welcomed with guard of honour provided by Grenadiers and Cameroon Army. The President and his suite were accommodated in the Lodge. He had previously informed Foncha that it would not be appropriate for the latter to move in until his departure today. I gave dinner party at the Lodge for him and subsequently we adjourned to the Mountain Hotel where some two hundred guests had been invited to the reception given by the Lodge. Midnight [?grps. omitted] 21-gun salute. I read my own message to Foncha and King delivered Her Majesty's message. Ahidjo then broadcast to the nation.

3. The President appeared happy to accept his position as my guest until midnight and in fact expressed a preference to travel in Commissioner's car with the Union Jack flying not only from Tiko to Buea on arrival but also his own reception at 10.30. If the primary object of his visit was to divert limelight from Foncha this was successfully achieved.

4. Although there were large numbers at the airport and [grp. undec.] crowds on the route to Buea the traditional palm and flower decorations were conspicuously absent and there was little show of enthusiasm, the tone was one of silent acceptance

¹ M N H Milne, deputy commissioner of Cameroons from 1959.

rather than of welcome or jubilation. Probable reason for few traditional decorations was failure of the Government Party to carry out the necessary organization.

5. My wife and I propose flying to Jos this morning and onwards to the United Kingdom October 4.

[Copies sent to Colonial Office.]

4 CO 554/2259, no 261

7 Feb 1962

[Southern Cameroons]: letter from R S Faber (FO) to W S Ryrrie (CO) on the termination of the trusteeship agreement for the Cameroons.

Enclosure: letter from the UK mission to the UNO to the secretary-general of UNO reporting the termination of the trusteeship agreement

Thank you very much for your letter of January 24, No. WAF.16/1075/06, about notification to the United Nations of the termination of our trusteeship in the Northern and Southern Cameroons.

We agree with your fourth paragraph and the way now seems clear for our Mission in New York to notify the United Nations formally, as proposed. Our experts have suggested a slight redraft of the letter that you have suggested, in order to bring it into line with our customary drafting practice for communications of this kind. I enclose a draft of their revised version herewith.

I am sending a copy of this letter and enclosure to Sankey in New York and suggest that he should now arrange for the proposed notification to issue. I am also sending two copies of this letter and enclosure to Cox (one for Fearnley).

Enclosure to 4

I have the honour to inform you, on the instructions of HMPSSFA, that in accordance with General Assembly Resolution 1608 (XV) of the 21st of April, 1961, the Trusteeship exercised in the Southern Cameroons by the Government of the United Kingdom of Great Britain and Northern Ireland under the Trusteeship Agreement of the 13th of December, 1946, terminated at midnight on the 30th of September, 1961. A copy of the Exchange of Notes between H.M.Ambassador at Yaounde and the President of the Cameroon Republic recording the time and date of the termination of United Kingdom trusteeship in the Southern Cameroons is attached hereto for your information.¹

I have further to inform you that in accordance with the above Resolution of the General Assembly the Trusteeship exercised in the Northern Cameroons by the Government of the United Kingdom of Great Britain and Northern Ireland terminated on the 1st of June, 1961, upon the Northern Cameroons joining the Federation of Nigeria as a separate province of the Northern Region of Nigeria. A copy of Command Paper No. 1567 containing the text of the Exchange of Letters between the High Commissioner for the United Kingdom in the Federation of Nigeria to the Prime Minister of the Federation of Nigeria concerning the incorporation of the Northern Cameroons into the Federation is also attached hereto for your information.

¹ Enclosure not printed.

Biographical notes: parts I–II

Aderemi, Sir Adesoji Tadeniawo, Ooni of Ife, 1889–1980

KBE 1950; KCMG 1962; born in Ife; educ St Philip's CMS School, Ife; Nigerian Railways, 1909–1921; commerce, 1921–1930; enthroned as Ooni of Ife, 1930; member of Legislative Council, 1947; president Western Region House of Chiefs, 1951–1963; member of House of Representatives, 1951–1954; federal minister without portfolio, 1951–1955; gov, Western Region, 1960–1962

Akintola, Chief Samuel Ladoke, 1910–1966

Born in Ogbomosho; teacher in Lagos, 1930–1942; editor of *Nigerian Baptist*, 1939–1942; clerk, Nigerian Railways, 1942; editor of *Daily Service*, 1943–1946; called to the Bar, Lincoln's Inn, 1949; federal minister of labour, 1951–1952; federal minister of health, 1953–1954; deputy leader of AG, 1954; leader of opposition in House of Representatives, 1954–1957; federal minister of communications and aviation, 1957–1959; elected to Western Region House of Assembly, 1959; premier of the Western Region 1959–1966; defected from the AG, 1962; killed in military coup of Jan 1966

Awolowo, Chief Obafemi, 1909–1987

Born at Ikenne in Ijebu-Remo; educ Abeokuta and Wesley College, Ibadan; journalist, 1934–1944; studied and practised law in London, 1944–1947; called to the Bar, Inner Temple, 1946; general secretary of *Egbe Omo Oduduwa*, 1948; founder of *Nigerian Tribune*, 1949; president of AG, 1951–1966; elected to Western Region House of Assembly, 1951; leader of government business and minister of local government and finance, Western Region, 1952–1954; premier of

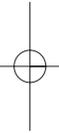
the Western Region, 1954–1959; elected to House of Representatives, 1959; leader of opposition, 1959; imprisoned for treason, 1962–1966; unsuccessfully contested elections for president of Nigeria, 1979 and 1983

Azikiwe, Nnamdi, 1904–1996

Born in Zungeru; educ in Onitsha, Lagos and Calabar; clerk in Lagos; studied at Storer College, Howard University, Lincoln University, University of Pennsylvania and Columbia University, USA, 1925–1934; lecturer at Lincoln University, 1933–1934; returned to West Africa, 1934; editor of *African Morning Post*, Accra, 1935; returned to Lagos and established *West African Pilot*, 1937; first of numerous honorary doctorates, 1946; president of NCNC, 1946; member of Legislative Council, 1948–1951; member of Western Region House of Assembly, 1952–1953; member of Eastern Region House of Assembly, 1954–1959; premier of the Eastern Region, 1954–1959; member of the House of Representatives, 1959–1960; president of the Senate, 1960; gov-gen, 1960–1963; president of Nigeria, 1963–1966; unsuccessfully contested elections for president of Nigeria, 1979 and 1983

Balewa, Alhaji Abubakar Tafawa, 1912–1966

KBE, 1960; PC, 1961; born at Tafawa Balewa, Bauchi; educ in Bauchi and at Katsina Higher College; teacher in Bauchi, 1933–1945; studied at Institute of Education, London, 1945–1946; member of Northern Region House of Assembly, 1947; member of Legislative Council, 1947; deputy leader of NPC, 1951; member of House of Representatives, 1951–1966; federal minister of works,



1951–1953; federal minister of transport, 1953–1957; prime minister, 1957–1966; killed in the military coup of Jan 1966

Bell, Gawain, 1909–1995

KCMG, 1957; educ Winchester College and Hertford College, Oxford; Sudan political service, 1931; Palestine, 1938–1941; military service, 1941–1945; Arab Legion, 1942–1944; district commissioner, Sudan, 1945–1949; assistant Sudan agent, Cairo, 1949–1951; assistant civil secretary, Sudan, 1951; deputy civil secretary, Sudan, 1953–1954; permanent under-secretary, Department of the Interior, 1954–1955; political agent, Kuwait, 1955–1957; gov, Northern Region, 1957–1962; sec-gen, Council for Middle Eastern Trade, 1963–1964; constitutional adviser to government of the Federation of Southern Arabia, 1965–1966; sec-gen South Pacific Commission, 1966–1970

Bello, Alhaji Ahmadu, Sardauna of Sokoto, 1910–1966

KBE, 1959; born in Rabbah, Sokoto; educ Sokoto and Katsina Higher College; teacher in Sokoto; appointed sardauna, 1938; appointed to Northern House of Assembly, 1949; elected, 1952; member of House of Representatives in 1952–1954; Northern minister of works, 1952–1954; Northern minister of local government and community development, 1953–1957; premier of the Northern Region, 1954–1966; killed in military coup of Jan 1966

Carr, Frederick Bernard, 1893–1981

Knighted, 1946; educ Whitgift; military service, 1911–1919; cadet, Nigeria, 1919; deputy resident, 1933; resident, 1935; staff grade, 1939; chief commissioner, Eastern provinces, 1943–1949; chief sec, Eritrea, 1949–1950

Cohen, Andrew Benjamin, 1909–1968

KCMG, 1952; educ Malvern and Trinity College, Cambridge; CO from 1933; Malta, 1940–1943; assistant secretary, CO, 1943; assistant under-secretary, 1947–1951; gov of Uganda, 1952–1957; permanent UK

representative, UN Trusteeship Council, 1957–1961; director of Technical Co-operation, 1961–1964; permanent secretary, Ministry of Overseas Development, 1964–1968

Creasy, Gerald Hallen, 1897–1983

KCMG, 1946; CO from 1920; accompanied S of S to West Africa, 1935; principal private secretary to S of S, 1937–1939; seconded to Ministry of Supply, 1939–1942; assistant under-secretary of state, CO, 1943; chief secretary, West African Council, 1945–1947; gov Gold Coast, 1948–1949; Malta, 1949–1954

Creech Jones, Arthur, 1891–1964

MP (Labour) 1935–1950; executive member, Fabian Society; member CO Education Advisory Committee, 1936–1945; chairman, Fabian Colonial Bureau and Labour Party Imperial Advisory Committee; vice-chairman, Higher Education Commission, to West Africa, 1943–1944; parliamentary under-secretary of state for colonies, 1945–1946; S of S for colonies, 1946–1950

Dawe, Arthur James, 1891–1950

KCMG, 1942; educ Berkhamsted and Brasenose College, Oxford; CO from 1918; secretary, Malta Royal Commission, 1931 and mission to Malta, 1933–1934; assistant secretary, 1936; assistant under-secretary of state, 1938; deputy under-secretary of state, 1945–1947

Drummond, John David (17th Earl of Perth) b 1907

Educ Downside and Trinity College, Cambridge; Intelligence Corps, 1940–1942; seconded to War Cabinet and Ministry of Production, 1942–1945; PC 1957; minister of state for colonial affairs, 1957–1962; first crown estate commissioner, 1962–1977

Eastwood, Christopher Gilbert, 1905–1983

Educ Eton and Trinity College, Oxford; CO from 1927; seconded as private secretary to UK high commissioner, Palestine, 1932; secretary, International Rubber Regional Committee, 1934; principal, CO,



1935; private secretary to S of S, 1940–1941; seconded as principal private secretary, Cabinet Office, 1945; assistant under-secretary of state, CO, 1947–1952 and 1954–66; commissioner for crown lands, 1952–1954

Emanuel, Aaron, b 1912

Educ Henry Thornton School, Clapham and London School of Economics; International Institute of Agriculture, Rome, 1935; BOT, 1938; MOF, 1940; administrative officer, CO, 1943; principal, 1946; WAC, 1948; assistant secretary, CO, 1948; ministry of health, 1961; Dept of Economic Affairs, 1965; min of housing and local govt, 1969; Dept of Environment, 1970–1972; chairman of West Midlands Economic Planning Board, 1968–1972

Endeley, Emmanuel Mbelle Lifafe, 1916–88

Born in Buea; educ Government College, Umuahia and Yaba Higher College; qualified as medical practitioner; chief medical officer, Buea, 1945; organiser and later general secretary of Cameroons Development Corporation Workers' Union, 1947; elected to Eastern Region House of Assembly, 1951; president of KNC, 1953; leader of government business in Southern Cameroons, 1954–1958; premier of Southern Cameroons, 1958–1959

Field, John Osbaldiston, 1913–1985

Knighted 1962; KBE, 1967; educ Stellenbosch Boys High School and Magdalene College, Cambridge; cadet, Nigeria 1936; administrative officer, 1951; resident, 1954; special representative at UN Trusteeship council, 1956–1961; commissioner of the Cameroons, 1956–60; commissioner of the Southern Cameroons, 1960–61; gov and c in c, St Helena, 1962–1968; administrator, Montserrat, 1969; gov, Gilbert and Ellice Islands, 1972–1973

Foncha, John Ngu, b 1916

Born in Bamenda; educ in Bamenda and Onitsha; teacher and principal in Bamenda; secretary of Bamenda branch of

Cameroon Youth League, 1942–1945; elected to Eastern Region House of Assembly, 1951; general secretary of KNDP, 1955; premier of Southern Cameroons, 1959–1961; vice-president of the Federal Republic of Cameroun, 1961–1970

Foot, Hugh Mackintosh, (Baron Caradon cr 1964) 1907–1990

Educ Leighton Park and St John's College, Cambridge; administrative service, Palestine, 1929–1937; CO 1938–1939; assist British resident, Transjordan, 1939–1942; British military administration, Cyrenaica, 1943; colonial secretary, Cyprus, 1943–1945; Jamaica, 1945–1947; chief secretary, Nigeria, 1947–1951; acting gov, Cyprus, 1944; Jamaica, 1945–1946; Nigeria, 1949–1950; captain-general and gov in chief, Jamaica, 1951–1957; gov, Cyprus, 1957–1960; ambassador to UNO, 1961–1962; minister of state at the FO and permanent representative at the UNO, 1964–1970

Gater, George Henry, 1886–1963

Kt, 1936; KCB, 1941; educ Winchester and New College, Oxford; local government from 1912; military service, 1914–1919; permanent under-secretary of state, CO, 1939–1947; seconded to Ministry of Home Security and Ministry of Supply, 1940–1942

Gibbons, Edward John, 1906–1990

Educ King Henry VIII school, Coventry and Gonville and Caius College, Cambridge; cadet, Nigeria, 1929; military service, 1941–1946 (brigadier; despatches); staff grade, 1947; sec, Eastern provinces, 1948; commissioner Cameroons province, 1949–1956; special rep, Trusteeship Council, 1950–1951; dept of Technical Cooperation, 1962–1964; ministry of Overseas Development, 1964–1968

Gorell Barnes, William Lethbridge, 1909–1987

KCMG, 1961; educ Marlborough and Pembroke College, Cambridge; HM Diplomatic Service, 1932–1939; office of



the War Cabinet, 1939–1945; assistant secretary, Treasury, 1945–1946; personal assistant to prime minister, 1946–1948; assistant under-secretary of state, CO, 1948–1959; joint deputy under-secretary of state, 1950–1963

Gorsuch, Leslie Harold, b 1897

Educ Ipswich School and Sidney Sussex College, Cambridge; Imperial Defence College, 1939; military service, 1916–1919, interned, 1942–1945; cadet, Federated Malay States, 1920; assistant secretary to governor, 1933; collr. Estate duty, Straits Settlements, 1936; seconded to CO as principal, 1939; seconded to DO, 1946; seconded to CO as assistant secretary, 1947–1951

Grey, Ralph Francis Alnwick (Grey of Naunton, life peer, cr 1969), 1910–1999

New Zealander; KCVO 1956; KCMG 1959; educ Wellington College, Auckland University College and Pembroke College, Cambridge; barrister and solicitor of Supreme Court of New Zealand, 1932; Colonial Administrative Service from 1936; served in Nigeria from 1937; secretary to the gov-gen and Council of Ministers, 1954–1955; chief secretary, Federation of Nigeria, 1955–1957, deputy gov-gen, 1957–1959; gov, British Guiana, 1959–1964; gov, Bahamas, 1964–1968 and of Turks and Caicos Islands from 1965; gov, Northern Ireland, 1968–1973; chairman, Commonwealth Development Corporation, 1979–1980

Griffiths, James, 1890–1975

MP (Lab) 1936–1970; PC 1945; minister of national insurance, 1945–1950; S of S for colonies, 1950–1951

Hall, George Henry (1st Viscount Hall of Cynon Valley cr 1951) 1881–1965

Peerage 1946; miner, 1893–1911; MP (Lab) 1922–1946; civil lord of the admiralty, 1929–1931; parliamentary under-secretary for the colonies, 1940–1942; financial secretary to the admiralty, 1942–1943; parliamentary under-secretary for the foreign office, 1943–1945; S of S for the

colonies, 1945–1946; first lord of the Admiralty, 1946–1951; deputy leader of the house of lords, 1947–1951

Home, Alexander Frederick Douglas (Baron Home of the Hirsell, life peer, cr 1974) 1903–1995

14th Earl of Home, 1951–1963; Sir Alec Douglas Home, 1963–1974; MP (Unionist) 1931–1945, (Con) 1950–1951, (Unionist) 1963–1974; parliamentary private secretary to prime minister, 1937–1940; joint parliamentary under-secretary of state, FO, 1945; minister of state, Scottish Office, 1951–1955; S of S for Commonwealth relations, 1955–1960; leader of House of Lords, 1957–1960; lord president of the Council, 1957 and 1959–1960; S of S for foreign affairs, 1960–1963; prime minister, 1963–1964; S of S for foreign and Commonwealth affairs, 1970–1974

Hopkinson, Henry Lennox d'Aubigné, (1st Baron Colyton cr 1956) 1902–1996

Educ Eton and Trinity College, Cambridge; diplomatic service, 1924–1946; head of Conservative Party Secretariat and joint director of Conservative Research Dept, 1946–1950; MP (Con) 1950–1956; secretary for overseas trade, 1951–1952; minister of state for colonial affairs, 1952–1955

Hoskyns-Abrahall, Theo Chandos, 1896–1975

Knighted 1950; educ Epsom College; military service, 1915–1920 (Capt); administrative officer, Nigeria, 1921; senior DO, 1936; resident, 1937; deputy chief secretary, 1939; acting chief secretary, 1939; chief commissioner, Western provinces, 1946–1951; lieutenant-gov, Western Region, 1951–1952

Ife, Ooni of, *see* Aderemi, Sir Adesoji Tadeniawo

Jones, Arthur Creech, *see* Creech Jones, Arthur

Lennox-Boyd, Alan Tindale (1st Viscount Boyd of Merton, cr 1960) 1904–1983

MP (Con) 1931–1960; parliamentary secretary, Ministry of Labour, 1938–1939;

Ministry of Home Security, 1939; Ministry of Aircraft Production, 1943–1945; minister of state, CO, 1951–1952; minister of transport and civil aviation, 1952–1954; S of S for colonies, 1954–1959

Listowel, 5th Earl of (William Francis Hare), 1906–1997

Parliamentary under-secretary of state for India and Burma, 1944–1945; postmaster-general, 1945–1947; S of S for India, 1947, and for Burma, 1947–1948; minister of state for colonial affairs, 1948–1950; gov-gen, Ghana, 1957–1960

Lloyd, Thomas Ingram Kynaston, 1896–1968

KCMG, 1947; educ Rossall and Gonville and Caius College, Cambridge; CO from 1921 (from Ministry of Health); secretary, Palestine Commission, 1929–1930; secretary, West India Royal Commission, 1938–1939; assistant secretary, CO, 1939; assistant under-secretary of state, 1943; permanent under-secretary of state, 1947–1956

Lyttelton, Oliver (1st Viscount Chandos, cr 1954) 1893–1972

KG, 1954; company director; MP (Unionist) 1940–1954; president of the Board of Trade, 1940–1941; minister of state in War Cabinet, 1941–1942; minister of production, 1942–1945; president of the Board of Trade and minister of production, 1945; chairman, Associated Electrical Industries Ltd., 1945–1951 and 1954–1963; S of S for colonies, 1951–1954

Macleod, Iain Norman, 1913–1970

Educ Fettes and Gonville and Caius College, Cambridge; military service, 1940–1945; MP (Con) 1950–70; PC, 1952; minister of health, 1952–1953; minister of labour, 1955–1959; secretary of state for the colonies, 1959–61; chairman of the Conservative Party, leader of the House of Commons and chancellor of the duchy of Lancaster, 1961–1963; chancellor of the Exchequer, 1970

Macpherson, John Stuart, 1898–1971

KCMG, 1945; educ Watson's College, Edinburgh and Edinburgh University;

military service, 1918; Malayan Civil Service, 1921–1937; seconded to CO, 1933–1935; principal assistant secretary, Nigeria, 1937–1939; chief secretary, Palestine, 1939–1943; member, Anglo-American Caribbean Commission, 1943–1945; comptroller for development and welfare in West Indies and British co-chairman, Caribbean Commission, 1945–1948; gov of Nigeria, 1948–1954, gov-gen of Nigeria, 1954–1955; permanent under-secretary of state, CO, 1956–1959

Marshall, Hugo Frank, 1905–1986

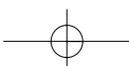
KBE, 1953; educ Malvern College and Exeter College, Oxford; cadet, Nigeria, 1928; assistant DO, 1931; DO, 1936; resident, 1946; administrative secretary, 1947; lieutenant-gov, Western Region, 1952–1954; chief secretary, Federation of Nigeria, 1954–1955

Martin, Sir John, 1904–1991

KCMG 1952; educ Edinburgh Academy and Corpus Christi College, Oxford; assistant principal, DO, 1927; Malayan civil service, 1931; private secretary to the permanent under-secretary of state, DO, 1934; principal, CO, 1935; secretary, Palestine royal commission, 1936–1937; private secretary to the prime minister (Churchill), 1940; principal private secretary, 1941; assistant under-secretary of state, CO, 1945; deputy under-secretary of state, 1956; transferred to CRO, 1965; British high commissioner, Malta, 1965–1967

Okotie-Eboh, Chief Festus Samuel, 1912–66

Born in Jakpa, Benin river; educ Baptist School, Sapele; clerk in Sapele Township, 1930–1931; teacher, 1931–1935; accountant and businessman, 1935ff; elected to Western Region House of Assembly, 1951–1954; elected to House of Representatives, 1954; federal minister of labour and welfare, 1954–1957; federal minister of finance, 1957–1966; national treasurer of NCNC, 1954; leader of NCNC parliamentary party, 1958–1966; killed in military coup of Jan 1966



Okpara, Michael Iheonukara, 1920–1984

born in Ohuhu, Umuahia-Ibeku; educ Uzuakoli and Yaba Higher College; qualified as medical practitioner; elected to Eastern Region House of Assembly, 1952; Eastern minister without portfolio, 1952–1953; Eastern minister of health, 1954–1957; Eastern minister of production, 1957–1958; Eastern minister of agriculture, 1958–1959; premier of the Eastern Region, 1959–1966; elected president of the NCNC 1960; commissioner for health and education, Biafra, 1967–1968; adviser on political affairs, Biafra, 1968–1970

Patterson, John Robert, 1892–1976

KBE, 1945; educ Morpeth Grammar School and St John's College, Cambridge; cadet, Nigeria, 1915; administrative officer, 1930; secretary, Northern provinces, 1935; staff grade, 1936; acting chief commissioner, Northern provinces, 1938–1939, 1941; chief commissioner, Northern provinces, 1943–1947

Perth, Lord, *see* Drummond, John David**Phillipson, Sydney, 1892–1966**

Kt 1949; KBE 1958; Educ University of Manchester; cadet, Ceylon, 1919; financial secretary, Uganda, 1941–1945; financial secretary, Nigeria, 1945–1948; adviser to the Southern Cameroons government on financial and constitutional problems, 1959–1961

Pleass, Clement John, 1901–1988

KBE, 1953; KCMG, 1955; KCVO, 1956; educ Royal Masonic School and Selwyn College, Cambridge; cadet, Nigeria, 1924; resident, 1945; senior resident, 1946; development secretary, 1947; lieutenant-gov, Eastern Region, 1952–1954; gov, 1954–1956

Poynton (Arthur) Hilton, 1905–1998

KCMG, 1949; educ Marlborough and Brasenose College, Oxford; assistant principal, Dept of Scientific and Industrial Research, 1927–1929; assistant principal, CO, 1929–1935; private secretary to

parliamentary under-secretary of state, 1932–1933; seconded to Sierra Leone administration, 1933–1934; principal, DO, 1935; principal, CO, 1935–1943; on secondment as private secretary to minister of supply, 1941–1942, and minister of production, 1942–1943; assistant secretary, CO, 1943–1946; assistant under-secretary of state, 1946–1948; joint deputy under-secretary of state, 1948–1959; permanent under-secretary of state, 1959–1966

Pyke-Nott, James Grenville, 1897–1972

Knighted, 1952; educ RNC Osborne and Dartmouth; naval service, 1914–1918 and 1939–1945 (commander, RN); cadet, Nigeria, 1924; resident, 1945; senior resident, 1946; chief commissioner, Eastern provinces, 1948–1952; lieutenant-gov, Eastern Region, 1952

Rankine, John Dalzell, 1907–1987

KCMG, 1954; KCVO, 1956; educ Christ's College, Christchurch, New Zealand and Exeter College, Oxford; cadet, Uganda, 1931; assistant district commissioner, 1933; assistant secretary East African governors' conference, 1939; assistant colonial secretary, Fiji, 1942; colonial secretary, Barbados, 1945; chief secretary, Kenya, 1947–1951; British resident, Zanzibar, 1952–1954; gov, Western Region, 1954–1960

Rees-Williams, David Rees (1st Baron Ogmore cr 1950) 1903–1976

MP (Lab) 1945–1950; chairman, Burma Frontier Areas Committee of Inquiry, 1947; parliamentary under-secretary of state, CO, 1947–1950; parliamentary under-secretary of state, CRO, 1950–1951; minister of civil aviation, 1951

Richards, Sir Arthur Frederick (Baron Milverton of Lagos and Clifton cr 1947) 1885–1978

KCMG 1935; educ Clifton and Christ Church, Oxford; cadet, Malayan civil service, 1908; acting secretary to high commissioner, 1923; under-secretary, 1926; acting general adviser, government



of Johore, 1929; gov of North Borneo, 1930–1933; gov The Gambia, 1933–1936; gov Fiji and high commissioner for the Western Pacific, 1936–1938; gov Jamaica, 1938–1943; gov Nigeria, 1943–1947

Robertson, James Wilson, 1899–1983

KBE 1948; educ Merchiston Castle School and Balliol College, Oxford; commissioned into the Black Watch, 1918; Sudan Political Service, 1922–53; assistant district commissioner, Sudan, 1922; sub-gov, 1937; deputy gov, 1939; assistant civil secretary, 1940; deputy civil secretary, 1942; civil secretary, 1945; gov-gen of Nigeria, 1955–60

Sharwood-Smith, Bryan Evers, 1899–1983

KBE, 1953; KCMG, 1955; KCVO, 1956; educ Newbury School, Aldenham School and Emmanuel College, Cambridge; military service, 1917–1920 and 1940–1942; teacher, 1920; colonial service, 1920; British Cameroons, 1920–1927; Nigeria, 1927–1957; resident, 1942; lieutenant-gov, Northern Nigeria, 1952–1954; gov, Northern Nigeria, 1954–1957

Sokoto, Sardauna of, *see* Bello, Alhaji Ahmadu

Stanley, Oliver Frederick George, 1896–1950

MP (Con) 1924–1950; parliamentary under-secretary of state, Home Office, 1931–1933; minister of transport, 1933–1934; minister of labour, 1934–1935; president of Board of Education, 1935–1937; president of Board of Trade, 1937–1940; S of S for war, 1940; S of S for the colonies, 1942–1945

Stapledon, Robert, 1909–1975

KCMG, 1956; educ Marlborough and Trinity College, Cambridge; cadet,

Nigeria, 1931; secretary West African gov's conference, 1940; resident minister's office, West Africa, 1942; financial secretary, Western Pacific High Commission, 1945; economic secretary, East African High Commission, 1948; chief secretary, Tanganyika, 1954–1956; gov, Eastern Nigeria, 1956–1960; gov and c in c, Bahamas, 1960–1964

Thompstone, Eric Westbury, 1897–1974

KBE, 1950; educ Shrewsbury School; military service, 1915–1919 (capt., MC); cadet, Nigeria, 1919; senior DO, 1935; resident, 1937; senior resident, 1942; chief commissioner, Northern provinces, 1947–1951; lieutenant-gov, Northern Region, 1951–1952

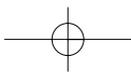
Whiteley, Gerald Charles, 1891–1958

Knighted 1944; educ Bradford and Jesus College Oxford; assistant district officer, Nigeria, 1915; acting resident, 1925; administrative officer, 1930; deputy chief secretary, 1934–1939; acting chief secretary, various occasions, 1934–1938; gov's deputy, 1936–1938; acting chief secretary, 1938; chief commissioner, Western provinces, 1939–1947; temporary administrative officer, CO, 1947

Williamson, Thomas Broadwood, 1911–1963

Educ City of London School and Trinity College, Cambridge; assistant principal, Home Office, 1934; assistant private secretary to secretary of state, 1937; principal, 1938; Ministry of Home Security, 1939; private secretary to parliamentary secretary, 1940; Allied Control Commission, Germany, 1945–1948; CO, 1948–1961; Dept of Technical Co-operation, 1961





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1 *Cabinet*

- (i) *Cabinet committees: general series*
 - Africa Committee: CAB 134/1 (1949)
 - Colonial Affairs Committee: CAB 134/52 (1945–1947)
 - Committee on Colonial Development: CAB 134/64-67 (1948–1951)
 - Official Committee on Food Supplies: CAB 134/685 (1946)
 - Africa (Official) Committee: CAB 134/1353-1354 (1957)
 - Africa Committee: CAB 134/1362 (1959–1960)
 - Official Committee on Colonial Policy: CAB 134/1551 (1956–1957)
 - Colonial Policy Committee: CAB 134/1555, 1558 (1957, 1959)
- (ii) *Commonwealth and International Conferences*
 - CAB 133/227-232 (1957–1958)
- (ii) *Cabinet Office*
 - These classes were searched selectively, using relevant indexes
 - Cabinet conclusions (minutes): CAB 128/17-34
 - Cabinet memoranda: CAB 129/38-100

2 *Colonial Office*

- (i) *CO original correspondence: geographical classes*
 - West Africa: CO 554/132-2600
 - Nigeria: CO 583/261-317
 - Nigeria, Willink Commission (1957-1958): CO 957/1-41
 - Nigeria, Royal Visit (1956): CO 1032/175
 - Nigeria, Council of Ministers papers (1952–1959): CO 1039/1-108
- (ii) *CO original correspondence: subject classes*
 - These classes were searched selectively, using relevant indexes
 - Colonies general, supplementary ['secret']: CO 537/1917-7171
 - Economic, original correspondence: CO 852/509/15-1801
 - Social services, original correspondence: CO 859/83/6-1305

Private Office: CO 967/173, 263, 265

Defence, original correspondence: CO 968/402, 612-616, 618, 668-670,
710-714

Production and marketing, original correspondence: CO 1029/9-11, 255-
256, 269-270

3. *Commonwealth Relations Office*

(i) *DO original correspondence*

This class was searched selectively, using relevant indexes

DO 35/2217-38509B

(ii) *Nigeria Department*

DO 177/2, 6, 8, 14, 33, 51, 83-86

4. *Foreign Office*

Political Department, general correspondence, 1950-60: FO 371/80125,
102619, 118676-118677, 118679, 125292-125293, 146483-146485,
146831-146832

5. *Ministry of Defence*

(i) *General series*

DEFE 7/957, 1307, 1482-1486

(ii) *Chiefs of staff committee, general series*

DEFE 11/228

6. *Prime Minister's Office*

(i) *Correspondence and papers (1945-1951)*

PREM 8/2, 1114, 1310

(ii) *Correspondence and papers (1951-1961)*

PREM 11/1367, 2436, 2586-2588, 2889, 3047-3048, 3239-3240, 3892

7. *Treasury*

Imperial and foreign division: T 220/117, 1271

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1 *Official publications*

(a) *United Kingdom*

- Report of the Commission on Higher Education in West Africa* (chairman, W Elliott) Cmd 6655, 1945
- Proposals for the Revision of the Constitution of Nigeria* Cmd 6599, 1945
- Enquiry into the Cost of Living and the Control of Cost of Living in the Colony and Protectorate of Nigeria* (chairman, W Tudor Davies) Col 204, 1946
- Report of the Commission on the Civil Services of British West Africa 1945–1946* (chairman, Sir W Harragin) Col 209, 1947
- Report of the Commission of Enquiry into the Disorders in the Eastern Provinces of Nigeria, 1949* (chairman, Sir W Fitzgerald) Col 256, 1950
- Report of the West African Forces Conference, Lagos April 20-24 1953* (chairman, H Hopkinson) Col 304, 1954
- Report by the Conference on the Nigerian Constitution held in London in July and August 1953* Cmd 8934, 1953
- Report of the Fiscal Commissioner on the Financial Effects of the Proposed New Constitutional Arrangements* (commissioner, Sir L Chick) Cmd 9026, 1953
- Report by the Resumed Conference on the Nigerian Constitution held in Lagos in January and February 1954* Cmd 9059, 1954
- Report of the Tribunal Appointed to Inquire into Allegations reflecting on the Official Conduct of the Premier of, and Certain Persons holding Ministerial and Other Public Offices in, the Eastern Region of Nigeria* (chairman, Sir S Foster-Sutton) Cmnd 51, 1957
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- Fiscal Commission for Nigeria, Report* (chairman, Sir J Raisman) Cmnd 481, 1958
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- (b) *Nigeria*
- Political and Constitutional Future of Nigeria: Governor of Nigeria's Despatch to the Secretary of State for the Colonies 6 December 1944* Sessional Paper no 4 of 1945
- A Ten-Year Plan of Development and Welfare for Nigeria, 1946–1955* Sessional Paper no 24 of 1945
- Report on Administrative and Financial Procedure under the New Constitution: Financial Relations between the Government of Nigeria and the Native Administrations* (by S Phillipson) 1947
- Report of the Commission appointed to make Recommendations about the Recruitment and Training of Nigerians for Senior Posts in the Government Service of Nigeria* (chairman, H M Foot) 1948.
- African Local Government Reform: Kenya, Uganda and Eastern Nigeria* (by E J Gibbons) 1949
- Proceedings of the General Conference on the Review of the Constitution, Ibadan, 1950*
- Review of the Constitution of Nigeria: Despatch from the Secretary of State for the Colonies July 15 1950* Sessional Paper no 20 1950
- Report on Local Government in the Northern Provinces of Nigeria* (by K P Maddocks and D A Pott) 1951
- Report of the Commission on Revenue Allocation* (commissioners, Sir S Phillipson and J R Hicks) 1951
- Revised Plan of Development and Welfare for Nigeria 1951–1956* Sessional Paper no. 6, 1951
- Report on the Kano Disturbances, 16th–19th May 1953, 1953*
- Report on the Desirability and Practicability of Establishing a Central Bank in Nigeria for Promoting the Economic Development of the Country* (by J L Fisher) 1953
- The Nigerianization of the Civil Service: A Review of Policy and Machinery* (by Sir S Phillipson and S O Adebo) 1954
- Western Region of Nigeria: Self-Government for the Western Region* Sessional Paper no 3 of 1955
- Report of the Commission on the Public Services of the Governments in the Federation of Nigeria 1954–1955* (commissioner, L H Gorsuch) 1955
- Report of the Commission of Inquiry into the Administration of Ibadan District Council* (by E W J Nicolson) 1956
- Eastern Region of Nigeria: Self-Government in the Eastern Region* Sessional Paper no 2 of 1957
- Commission Appointed to Advise the Government on Devolution of Powers to Provinces* (commissioner, R S Hudson) 1957
- Proposal for Self-government of the Northern Region of Nigeria, laid on the Table of the Legislative Houses July and August 1958* 1958

- Constituency Delimitation Commission: Report* (chairman, Lord Merthyr) 1958
- Report of the Ad Hoc Meeting of the Nigeria Constitutional Conference held in Lagos in February 1958*
- Report of the Commission appointed by the Governments of the Federation, the Northern Region, the Eastern Region and the Southern Cameroons to review Salaries and Wages* (chairman, L N Mbanefo) 1959
- Financial, Economic and Administrative Consequences to the Southern Cameroons of Separation from the Federation of Nigeria: Report by Sir S Phillipson* 1959
- Investment in Education: the Report of the Commission on Post-School Certificate and Higher Education in Nigeria* (chairman, Sir E Ashby) 1960
- Matters Arising from the Final Report of the Parliamentary Committee on the Nigerianisation of the Federal Public Service* Sessional Paper no 2 of 1960

2. *Unpublished collections of private papers*

(a) *Rhodes House Library, Oxford*

This is a selection of a much larger collection of papers and transcripts of interviews held by Rhodes House Library concerning Nigeria in these years

S O Adebo	MSS Afr s 1460
A Adelabu	Micr Afr 608
N Azikiwe	MSS Afr s 1920
Sir Abubakar Tafawa Balewa	MSS Afr s 1219 and 1541
Sir Gawain Bell	MSS Afr s 2001
Lord Caradon	MSS Brit Emp s 395
Sir Frederick Carr	MSS Afr s 546
A T Creech Jones	MSS Brit Emp s 332
Sir Theo Hoskyns-Abrahall	MSS Afr s 1334
House of Representatives	MSS Afr s 1148
R S Hudson	MSS Afr s 1395 and 2111
Sir John Macpherson	MSS Brit Emp s 487
Sir John Martin	MSS Brit Emp s 419
Lord Milverton	MSS Brit Emp s 368
NCNC (Dr M Vickers)	MSS Afr s 2013
Sir Sydney Phillipson	MSS Afr s 1553 and 2063
Sir John Rankine	MSS Afr s 2237
Sir James Robertson	MSS Afr s 1092 and 1477
Sir Bryan Sharwood-Smith	MSS Afr s 1573 and 2103
Sir Peter Stallard	MSS Afr s 2243
UAC	MSS Afr s 1134

(b) *Others*

A T Lennox-Boyd papers	(Bodleian Library, Oxford)
O Lyttelton papers	(Churchill College, Cambridge)

3. *Published selections of documents and documentary guides*
 S R Ashton and S E Stockwell, eds, BDEEP series A, vol 1, *Imperial policy and colonial practice, 1925–1945* in 2 parts (London, 1996)
 H F Conover, *Nigerian official publications 1869–1959: a guide* (Washington, 1959)
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 A H M Kirk-Greene, ed, *The principles of native administration in Nigeria: selected documents 1900–1947* (London, 1965)
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4. *Select list of published books*

This selection lists works focusing specifically on the issues and personalities connected with the end of empire in Nigeria; works covering the wider background of decolonisation, or on general Nigerian history in this period have been excluded

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 S O Adebó, *Our unforgettable years* (Lagos, 1984)
 A Adedeji, *Nigerian federal finance: its development, problems and prospects* (London, 1969)
 O Adewoye, *The judicial system in Southern Nigeria, 1854–1954: law and justice in a dependency* (London, 1977)
 P T Ahire, *Imperial policing: the emergence and role of the police in colonial Nigeria, 1860–1960* (Milton Keynes, 1991)
 J F A Ajayi and T N Tamuno, *The university of Ibadan 1948–1973: a history of the first twenty-five years* (Ibadan, 1973)
 W Ananaba, *The trade union movement in Nigeria* (London, 1969)
 E O Awa, *Federal government in Nigeria* (Berkeley, 1964)
 O Awolowo, *Path to Nigerian freedom* (London, 1947)
 O Awolowo, *Awo: the autobiography of Chief Obafemi Awolowo* (Cambridge, 1960)
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 N Azikiwe, *Assassination story: true or false?* (Onitsha, 1946)
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 P T Bauer, *West African trade* (London, 1954)
 A Bello, *My life* (Cambridge, 1962)
 S O Biobaku, *When we were young* (Ibadan, 1992)

- H L Bretton, *Power and stability in Nigeria: the politics of decolonization* (New York 1962)
- A Burns, *Colonial civil servant* (London, 1949)
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- R Cohen, *Labour and politics in Nigeria* (London, 1974)
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- T Falola, *Development planning and decolonization in Nigeria* (Gainesville, Fla, 1996)
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- A Grantham, *Via ports* (London, 1965)
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- M H Kukah, *Religion, politics and power in Northern Nigeria* (Ibadan, 1993)
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Index of Main Subjects and Persons: Parts I–II

This is a consolidated index for both parts of the volume. It is not a comprehensive index, but a simplified index to major subjects and individuals. It gives document numbers, together with page references to the Introduction in part I, the latter being given at the beginning of the entry in lower case roman numerals. The index is designed to be used in conjunction with the summary lists of the preliminary pages to both parts of the volume. A preceding asterisk indicates inclusion in the Biographical Notes at the end of Part II. Azikiwe appears extensively throughout the volume, with around 150 entries in the documents alone. His entries in the Introduction are listed below, thereafter his appearance can be traced by use of the document summaries. Similar considerations apply to the Action Group, the National Council of Nigeria and the Cameroons and the Northern People's Congress.

The following abbreviations are used:

App – Appendix in Part II (pp 761–768)

N – editor's link note (before main text of document)

n – footnote

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