

Nina' Mba's Insider / Outsider's Account



A Peoples' Constitution Again?

LAST week, precisely on May 9, 2001, Australia celebrated the 100th anniversary of the opening in Melbourne of the first parliament of the Commonwealth of Australia. Australia has managed to retain its democratic system of government for a century, despite wars, depressions, crises between the federal and state governments, and transformation into a multi-cultural plural society. Australia's stability and prosperity are proof that while democracy may not be a perfect form of government, it is better than any alternative. But then, of course "every nation has the government it deserves".

Nigeria's history of democratic form began centuries before Australia. Most of the pre-colonial societies operated some form of a "People Constitution" i.e., participation and representation in the running of the society. Under colonialism, their democracies lost sovereignty and authority and were incorporated into a larger state structure. Decolonization was the process of transferring power back to the Nigerian state under a democratic parliamentary system of government. One of the most important stages in that process was the 1952 McPherson constitution.

Ironically, current events in Nigeria are reminiscent of the period from 1949-1952 when that constitution evolved. What triggered that perception of historical parallels is the "doublespeak" of the federal government.

"Doublespeak" is the term created by George Orwell in his classic novel "1984" to describe the manipulation of language by an authoritarian government. The recent confused and contradictory statements credited to the Minister of Information about the constitutional non-conference/zonal presentation/open house are resonant of doublespeak. For instance, "it is not a constitutional conference where we debate the issues involved". Later on "Nigerians are enjoined to discuss it, debate it so that together we can produce a truly "people's constitution". Again, Ghana States that it is "not a delegates conference" but, "conference of stakeholders, governors, legislators, local government chairman, traditional rulers." Yet he tells us "the word conference is carefully avoided because it is loaded with interpretations which could send wrong signals to people".

Explained by the government and "stakeholder's" does not quite synchronize with the production of a true people's constitution. But this is very similar to what happened in Nigeria half a century ago.

The 1047 Richard's Constitution was attacked for failing to consult the people, especially since Government Richard's predecessor,

Bourdillion, had promised Nigerians that they would have a full opportunity to discuss a new constitution expected to last for nine years but the new governor appointed in 1948, Sir John McPherson said the progress was so good it was time to review it. McPherson went to the opposite extreme to Richard's. Because of riots in Accra in February 1948, he insisted he would not be forced to amend the constitution

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because "I am being besieged; I am going to have my amendments before that happens. Not that I would mind being besieged by anybody except the Lagos mob. (Clark T. "A Right Honorable Gentleman" P117).

From March to September 1949, all Nigeria's public life was sidetracked into conferences, areas, divisions, provinces and regions to discuss constitution change.

In October 1959, the government set up a drafting committee under Chief Secretary Float, with three representatives from each region and Lagos to offer a constitutional framework to a national conference in Ibadan the same month. The conference recommended a strong central executive and a new federal legislature, comprising thirty members from the North and twenty-two each from the West and East. The North and West would each have an upper house of the chief.

Four distinct minority reports denounced regionalism in favor of a large number of ethnic states; opposed upper houses anywhere and the indirect electoral college in favor of universal adult suffrage and criticized the status of Lagos.

At the national conference, there was just one female representative,

Mrs. Ransome-Kuti who campaigned for direct universal suffrage. Please note that the Reverend Ransome-Kuti was also a delegate to the conference: How's that for successful husband and wife teamwork? (The First Bank is opposed to couples working in its banks).

The conference's recommendations were referred to the legislative council which decided that the North should have equal representation with the South but made no concessions on the major issues raised by the minority reports. In January 1952, the new constitution came into effect. Revenues were distributed to the regions based on a need, not derivation. Elections were held in 1951 for the regional and colonial government, which by definition is authoritarian and coercive, which is why it is often compared to the military government. As may be seen from the above, in 1951 there was overarching government control of the constitution-making but there was extensive consultation with the representatives of the people whose ideas were seriously considered. It may be argued that the constitution-making of 1951 was more democratic than that of 2001.

There is a French saying that the more things change; the more they stay the same. The basic issues raised in the minority reports in 1950 are either still unresolved or took years to solve. The constitutional status of Lagos was only settled in 1967 with the creation of Lagos State: Universal adult suffrage was achieved in 1976 by General Obasanjo. With the creation of more states, the tensions between North and South and the role of traditional rulers remain fundamental, divisive issues. They will only be finally resolved by a constitution for the *people of Nigeria*.

Since I have been discussing events 50 years ago, I would like to end today's column not with a nursery rhyme but with a jingle coined by the British administration in Nigeria during the Second World War and made popular in Abeokuta province by Alake Ademola who in a public address on May 22, 1948, declaimed "as you pour out of this hall today, I want the homes and countryside in Egba land to reverberate and ring with the repetition of this message: more and yet more palm kernels to sound Hitler's death knell."

Postscript

The column two weeks ago discussed cyber language and new meanings for words like a mouse. The generation gap also leads to changes in the meaning of words as the following illustrates:

For those born before 1940, studs were something that fastened a collar to a shirt: Coke was kept in the cola house: a joint was a piece of meat you ate on Sundays, Pot was something you cooked in: and a Gay Person was the life and soul of the party.