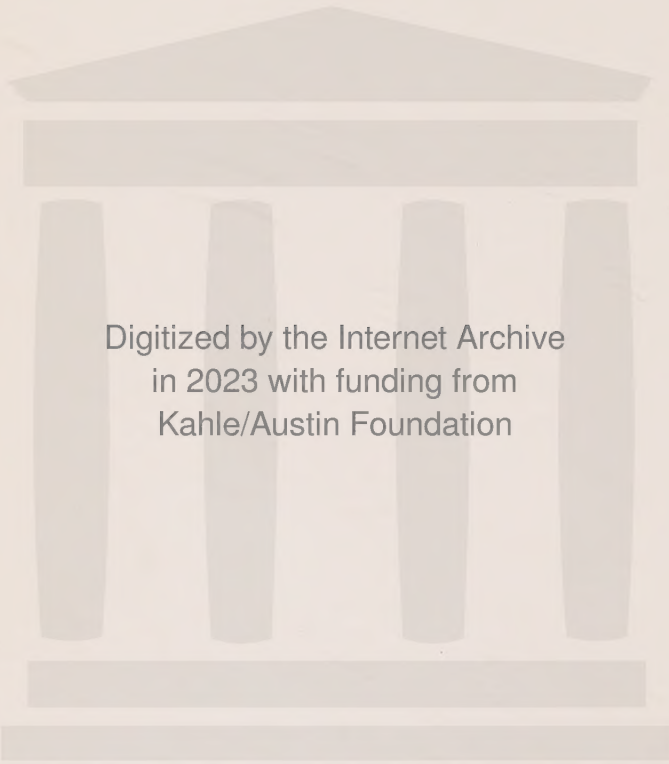


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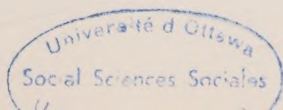
by

OBAFEMI AWOLOWO

IBADAN

OXFORD UNIVERSITY PRESS

1968



Oxford University Press, Ely House, London W.1

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Oxford House, Iddo Gate, P.M.B. 5095, Ibadan, Nigeria

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*Printed by offset in Nigeria
by The Caxton Press (West Africa) Ltd., Ibadan, Western Nigeria*

TO
MY BELOVED WIFE
DIDEOLU

And now a man came up and asked him, 'Master, what good must I do to gain eternal life?' 'Good?' said Jesus. 'Why do you ask me about that? One alone is good. But if you wish to enter into life, keep the commandments.' 'Which commandments?' he asked. Jesus answered, 'Do not murder; do not commit adultery; do not steal; do not give false evidence; honour your father and mother; and love your neighbour as yourself.' The young man answered, 'I have kept all these. Where do I still fall short?' Jesus said to him, 'If you wish to go the whole way, go, sell your possessions, and give to the poor, and then you will have riches in heaven; and come, follow me.' When the young man heard this, he went away with a heavy heart; for he was a man of great wealth.

Jesus said to his disciples, 'I tell you this: a rich man will find it hard to enter the kingdom of Heaven. I repeat, it is easier for a camel to pass through the eye of a needle than for a rich man to enter the kingdom of God.'

New English Bible Matthew 19 : 16-24

'Master, which is the greatest commandment in the Law?'

He answered, 'Love the Lord your God with all your heart, with all your soul, with all your mind'. That is the greatest commandment. It comes first. The second is like it: 'Love your neighbour as yourself.' Everything in the Law and the prophets hangs on these two commandments.'

New English Bible Matthew 22 : 36-40

Preface

THIS BOOK is in three Parts. The first Part deals with British Rule in Nigeria, whilst the third sets out a blueprint for a stable administration in an independent Nigeria. Part I is an indispensable background to Part III: the one depicting the 'base degree' from which the ascent in the other is to be scaled. Part II is an exposition of political, economic, and social principles which are of universal application and validity. It is interposed between Parts I and III in order that the *raison d'être* and the rationale for a clean break with the British administrative heritage detailed in Part I, and the imperative need for the acceptance of the blueprint in Part III, may be clearly understood and appraised.

Part II does more than this. It demonstrates the applicability of methodology to any kind of social problem, and insists, by undisguised implications, that all social problems can and should be solved by employing the tools of scientific investigation.

Before Bacon put his imprimatur on the method of induction, mankind had depended for everything it did on trial and error and the rule of thumb. But since his time, the tools of observation, empiricism, analysis, classification, synthesis, and generalization have been thoroughly forged and perfected, and can be confidently used in the investigation of any phenomenon, or in the search for a solution to any problem. In other words, mankind has now reached a stage in its development when it will be inexcusable ignorance, pig-headed stupidity, and unpardonable dishonesty on the part of anyone, society or community, to adopt an unscientific approach to any of its problems.

I am fully aware that political philosophers and scientists have been chary of making generalizations. They complain that man, who

is the central subject of the social sciences, is unpredictable and imponderable. He does not, for instance, lend himself to the rigid formation and unchangeably fixed behaviour of the solar system. They have, therefore, contented themselves with merely interpreting and rationalizing existing political institutions. In this they have erred considerably, as they have, as a result, failed to extrapolate their theories and conclusions.

As it was with Plato, Aristotle, and Confucius, so with Hobbes, Locke, Hegel, and others, down the ages. What they all call political theories are mere analyses, classifications, and definitions of past and existing political institutions, enhanced and sanctified by their *ex cathedra* pronouncements on them. They have never gone so far as to deduce laws or principles of universal application and validity, which can be invoked with confidence in dealing with new situations, or with the evolution or establishment of new institutions.

While political philosophers, from antiquity right down to the latter part of the eighteenth century, could, from the scientific point of view, be excused for the deficiency of their methods and pronouncements, those who profess themselves political scientists in the twentieth century cannot be excused for employing the same unscientific method and approach as their predecessors.

For my part, I regard the whole world as man's laboratory. Since Herodotus and other historians, and since Aristotle and other men of logic and science, innumerable facts and data required by man in unravelling any social problem with a high degree of precision have been accumulated in this laboratory; and the methods for accumulating more facts and data are no longer in doubt. Besides, for about forty centuries now, man has been performing various experiments in this laboratory. One of them is the experiment in the science of government, or of managing a State in such a manner as to guarantee prosperity and happiness for the people. It is my considered view that enough experiments in this sphere have been performed to enable a clear and valid enunciation of principles of universal application to be made. That is precisely what I have done by enunciating the four principles which are set out on pages 90-91 of this book.

Until every man, of whatever tongue and clime, loves all other men in

this world as himself, these principles will hold good for all countries and for all time.

Since these principles were first publicly enunciated in *Thoughts On Nigerian Constitution* about two years ago, several events have happened which, rather than weaken, have tremendously strengthened their validity. In Britain the Scottish Nationalists are gaining ground fast; and the likelihood is greater now than ever before that the Scottish people may have an autonomous Government of their own under a federal or quasi-federal Constitution of the United Kingdom of Great Britain and Ireland. If the Scottish Nationalists succeed in their aspirations, the Welsh will certainly not be left behind. In Belgium, the language feud between the Flemings and the Walloons has assumed alarming and frightful proportions. It has threatened the continued existence of the five-centuries-old University of Louvain; and it has brought down one Belgian Government. There are now strong movements in Belgium for the partition of the country into Flemish- and French-speaking Sovereign States, and for the union of the two linguistic groups in a Belgian federation. In Spain, the minority ethnic groups there have begun what appears to be a determined and concerted agitation for regional autonomy within a Spanish federation. Right here in Africa, those who advocate federalism for Sudan have emerged, in recent elections, as the strongest political party in the southern part of the country. Sudanese leaders who hold contrary views will only succeed in delaying, but will certainly fail in preventing the ultimate evolution of Sudan as a federation of the various ethnic and linguistic units which inhabit the country.

I realize that many multi-lingual and multi-national countries continue to be governed and administered with a great measure of stability under a unitary form of constitution. But I am of the opinion that the stability enjoyed by these countries with inappropriate constitutions is false and an illusion; and that such stability is possible, mainly because there is, temporarily and for reasons which can be ascertained and demonstrated, an absence of national consciousness and ferment among the ethnic units which compose these countries. And since time and the forces of dialectical progression are not on the side of any fundamentally defective system, I predict that

every multi-lingual or multi-national country with a unitary constitution must either eventually have a federal constitution based on the principles which I have enunciated, or disintegrate, or be perennially afflicted with disharmony and instability.

Here in Nigeria, the Federal Military Government took a bold and far-reaching step on 27 May 1967 by dividing the country into twelve constituent States. But in doing so, it paid no serious or knowledgeable regard to the principles of ethnic or linguistic affinity, or to the other principles which are considered in Chapter 10 of this book. I therefore confidently predict that, with the exception of Kano, Western, East-Central, and Lagos States, each of these States will pass through a period of internal disharmony, instability, and turmoil, until they finally disintegrate and completely disappear in the forms in which we know them. New constituent States with new boundaries will then emerge. But these new ones will survive only if the principles which I have carefully propounded in this book and which are more extensively elaborated and illustrated in *Thoughts On Nigerian Constitution*, O.U.P. 1966, are faithfully followed.

I would like to emphasize that the foregoing and the other predictions which I have made in this book have not been based on sentiments, prejudices, predilections, or any 'will to power' on my part. On the contrary, they are statements, strictly and logically deduced from the objective and scientific reasoning and exposition which I have laid bare in Part II before those who are good enough to read this book. If the principles as expounded in Part II are accepted, then their detailed application to Nigeria in Part III must also be accepted. As I have said, these principles are of universal validity; but their actual detailed application must vary from country to country, depending on the peculiar factors obtaining in each State.

In the concluding paragraph of Chapter 7, I have made another prognostication as follows:

'Since greed, selfishness, or naked self-interest is the essence and predominant motivation of capitalism, the system is bound to generate secular social dis-equilibrium in the society in which it is operative, and to diminish and degenerate through time until it suffers total extinction. . . .'

Since I penned these words, capitalism has continued, on an increasing scale, to be under a constant threat of collapse, and to afflict those under its regime with poverty, alarm, and discontent.

The first three months of this year witnessed the worst threat ever to capitalism and hence the world economy. The three pillars—Gold, Dollar, and Sterling—on which the non-communist world's mighty monetary superstructure is erected, had been gravely threatened. When it became evident that Sterling was too weak to bear its allotted part of the burden, it had been thought that the Dollar would come to its aid. But by the middle of March, the assault on both Gold and Dollar which had been launched by France, for no reason other than national aggrandizement and greed, as well as spite for America and Britain, and which had been going on for some time, reached its climax. A complete collapse of the world's monetary system, which would of a certainty lead to a depression greater than that of 1929-31, became imminent. But 'the bankers of the non-communist world's main industrial countries' met in Stockholm and averted the looming disaster. A two-tier system was devised for the price of Gold; and while this precarious system lasts, Britain and U.S.A. are expected to take the most determined steps for their economic recovery.

Many economists of repute have publicly expressed doubt about the efficacy and success of a two-tier market arrangement for Gold. From all accounts, it is not known yet what favourable effects the recent bold and draconian measures introduced by the British and American Governments will have on Britain's and America's economies, and on Sterling and Dollar. Besides, in spite of the recent rescue operations for the Dollar, the Chairman of America's Federal Reserve Board was constrained to announce publicly that the United States was facing the worst economic crisis since 1931. Therefore, though the situation appears to have been arrested, I have no doubt that the inherent maladies which brought about the recent Gold-Dollar-Sterling crisis will reappear in other and more gruesome forms, sooner or later. It is significant to note, however, that the communist countries are completely insulated from this crisis.

It is erroneous to date the emergence of capitalism from the seventeenth or eighteenth century. Capitalism is not just a mode of

productive organization; it is basically an attitude of mind. It therefore had its origin or genesis in that epoch in the dim past when man developed the vices of greed and self-interest. Every effort, every institution, every productive device which man has made, evolved, and organized since then to foster these vices has only increased his miseries, and disintegrated in the end. As slavery and feudalism, two erstwhile monstrous creatures of greed and naked self-interest, have disintegrated and disappeared, so will capitalism.

It is not the eventual disintegration and disappearance of capitalism that should incline the ordinary Nigerian citizen against the system. Such an event, which may not occur until many decades have passed, is a proper matter only for thinkers and idealists, not for the ordinary man in the street whose preoccupation is and should be how to live a full and happy life, during his extremely short span of about seventy years on Earth.

No; it is not this distant event that should concern the ordinary Nigerian citizen. What should be brought vividly to his attention is the fact that, under the operation of capitalism, it is only the few that flourish at the expense of the many. It is a system which legalizes stealing and thieving by cunning and tradition, and also permits recovery by the same methods. It is a system which puts a premium on the worst vices of man, and discriminates against the best virtues. It is a system which encourages war, rumours of war, and preparations for war, thus diverting to destructive purposes enormous resources which are more than enough to abolish ignorance, disease, and want in all parts of the world. The U.S.A. is the richest capitalist country in the world, and can afford to spend billions and billions of dollars a year to wage or aid the waging of war, and to explore outer space. Yet, among its citizens are to be found a large number of people who belong to the class of the most miserable and the most discontented on our planet.

My theme throughout this book is that man may enjoy the fruits of his labour and live a full and happy life including the enjoyment of fundamental rights. This can be achieved for Nigerians if the Nigerian State has a suitable constitution, good Governments, and social objectives which are socialist-oriented. In other words, a full and happy life can be attained by every Nigerian citizen, if we embrace

and work for federalism, democracy, and socialism as I have defined and elaborated them; and we have, at the same time, a leadership that possesses mental magnitude.

It must be emphasized for the avoidance of doubt that mental magnitude is also attainable by all and sundry. But the attainment is not possible by sudden flight or wishful desires. It demands hard work, self-discipline, loyalty, and dedication of a very high order. For the masses of the people, the attainment of mental magnitude, as I have described and expounded this expression in Chapter 9, must naturally take a considerable length of time. None the less, a beginning must be made and urgently too to help the masses to cultivate the attributes of hard work, self-discipline, loyalty, and dedication which are indispensable to a good life, to the operation of a successful socialist regime, and to the attainment of mental magnitude. In this connection, it must be emphasized that education and health are not only indispensable to efficient production and higher productivity, but are also the essential pre-conditions of mental magnitude.

While the masses of the people must be given time to cultivate mental magnitude, those who aspire to lead Nigeria are expected to be equipped with this great attribute before they venture to embark on their great and onerous assignment. Otherwise, in the Nigerian context, it would be a case of the blind leading the blind. Let us make no mistake about it. A defective and inadequate leadership would only bring curses rather than blessings on the Nigerian peoples. Such a leadership would fail to keep Nigeria harmoniously united, and bestow on the peoples the benefits of an educated, healthy, prosperous, integrated, and happy life.

There abound examples of successful federations and democracies, and of the worthy display of mental magnitude; from these Nigerian leaders can learn in their day-to-day application and translation respectively of the principles and blueprint elaborated in Parts II and III of this book. In spite of its comparative youth, there are also successful examples of socialist practice from which they can learn.

In this connection, I would like to sound a note of warning. It is folly and courting certain failure to attempt to practise socialism by halves; that is, to embark on a limited socialist programme in an

essentially capitalist State. Experiences have shown that socialism must be all-embracing. Robert Owen and other utopian socialists thought differently, and they failed woefully. Owen was completely ruined in the process. The Labour Party has, for upwards of forty years, repeatedly experimented with a mixed socialist-capitalist economy in Britain, and it has invariably failed. In the process, the Labour Party has left the masses of Britons largely uninfluenced by its ideals and programmes, and has brought frustration to the rank and file of British socialists. As a result, Labour rule in Britain has proved to be a mere short-lived interlude between permanent Conservative administrations.

Man must eat to live. His tendencies towards or away from greed, self-interest, and other negative emotions are largely conditioned and determined by the methods of production and exchange; by the proprietorship—whether private or public—of the means of production; and by the manner—whether equitable or inequitable—in which the products are distributed among all the citizens.

Socialism seeks to wean every citizen from the evils of greed and self-interest, whilst capitalism weds him more firmly to them. In the short run, however, capitalism always gives the impression that it is destined to succeed in providing material well-being for all; more so in countries where it has been deeply entrenched. All the same, there is no doubt that this impression is absolutely and empirically false, and the sure and indefeasible winner in the long run is socialism. But since the masses of the people, anywhere in the world, do not, more often than not, have the patience to wait for the ultimate winner, it is imperative, as a matter of supreme strategy, and in the best interests of Nigerians themselves, that a permanent mixed socialist-capitalist economy for Nigeria should be resolutely avoided.

In closing this preface, I would like to acknowledge my indebtedness and deep gratitude to Alaiyeluwa Oba Samuel Akinsanya, The Odemo of Ishara; S. G. Ikoku, Esq.; Professor Akin Mabogunje; and L. K. Jakande, Esq. They have been good enough to study the typescripts of this book and, within a very limited period of time, to make valuable suggestions some of which have been incorporated in this work. Tai Solarin, Esq., also studied the typescripts and gave me words of encouragement. I am grateful to him.

My gratitude also goes to my Personal Secretary in the Federal Ministry of Finance, Mr. S. B. Adegbite. He is fast both in taking dictation and in typing. Without his assistance, I would have had to go through the drudgery of having to write the whole of Parts II and III in longhand, and consequently the publication of this book would have been delayed for at least 18 months. I am equally grateful to my typist in my own office at Ibadan, Mr. E. O. Taiwo, who handled Part I and helped in typing the corrected versions of some of the pages in the other Parts.

IBADAN

10 May 1968

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PART ONE

British Regime

I

How They Came

IN THE contact of Europe with West Africa, Portugal blazed the trail. Whilst her missionaries were zealously trying to proselytize Africans in Benin and Warri, her merchant adventurers were busy, on the Gold Coast, collecting 'slaves and gold dust' which they carried home to Lisbon. This was towards the end of the first half of the fifteenth century.

Portugal's christianizing mission to Benin and Warri continued intermittently till the sixteenth century. Although it did not appear to have borne any spiritual fruit among the Edos and Itsekiris, yet, in a temporal sense, it left some permanent imprint on the cultures of the people. To this day, not only are some Itsekiri words of Portuguese origin but also the Oba of Benin and the Olu of Warri, together with their chiefs, shorn of coral beads and other jewellery, still array themselves in the manner of a Roman Catholic priest.

The Portuguese merchant adventurers were more persistent and successful in their enterprises. By 1482 they had built a fort at Elmina on the Gold Coast; by 1485 they had established a trading connection with Benin in pepper and ivory, in exchange for arms, spirits, and other products; and by 1493 they had secured from Pope Alexander VI a monopoly of trade in West Africa.

The activities of the Portuguese had not passed unnoticed by their English rivals. But the ambition of English merchant adventurers to participate, at that time, in trade with West Africa was frustrated by two things. The first was the intervention of John II of Portugal, who in 1481 prevailed on Edward IV of England to restrain two of his subjects—John Tintam and William Fabian—'from proceeding on a voyage which they were preparing for Guinea'. The second was the Papal Bull of 1493, which granted monopoly of trade in practically the whole of Africa to Portugal.

This monopoly was indefinite in its extent. But it was brought to an end after about 60 years, during which period Portugal's trade with West Africa, particularly in slaves, had grown steadily and appreciably.

In 1492, under the sponsorship of Spain, Columbus had discovered America. In virtue of this, the aforementioned Bull of Pope Alexander VI also assigned the New World to Spain as her exclusive sphere of influence. After a few years of preparations, the Spaniards set out to exploit their newly discovered overseas territories with incredible vigour. Within less than 40 years of Columbus's discovery they had established settlements in Hispaniola, Cuba, Mexico, and Peru.

The Spanish settlers needed cheap labour for their silver mines in Mexico and Peru and their plantations in Hispaniola and Cuba. At first, they made use of indigenous Indians, with a sprinkling of Negro slaves bought from the Portuguese. But the Indians turned out to be too gentle for the excessive rigour of their forced labour and the soulless cruelties of their task-masters. Indeed, it was the timely suggestion of Bartolomeo de las Casas, Bishop of Chiapa, that saved the Indians from total extinction. He had been moved with compassion for the fast-diminishing Indians, and, in order to save them from complete extermination, had suggested that Negro slaves were better able to withstand the conditions of labour obtaining in the mines and plantations. His suggestion gave a big fillip to the slave-trade in West Africa. As Spain herself had no access to this market, Spanish settlers were obliged to turn to Portugal, in a much bigger way than ever before, for supplies.

Two events occurred, one of which put an end to Portugal's monopoly, and both of which brought the English people into the slave-trade, and made England the leading country in the traffic. They were the Reformation and the Treaty of Utrecht.

The Reformation led to the liberation of England, Holland, Prussia, and Denmark from the authoritarian control of Rome in spiritual and political affairs. With particular reference to England, however, it is more correct to say that it was the *affaire de cœur* of the inimitable Henry VIII, more than anything else, which wrought the liberation of England from the papal yoke. Henry VIII began by

roundly condemning Luther for his heresy, and ended up, after the Katharine affair, by contemptuously describing the Pope as 'the Bishop of Rome otherwise called the Pope'. For his act of fidelity, he earned from the Pope the title of *Fidei Defensor*; for his heresy, condemnation. He retained the former, but spurned the latter.

Thus freed from obedience to the authority of Rome, the English merchant adventurers openly violated the Papal Bull of 1493, and Portugal ceased to enjoy monopoly of trading in slaves and other merchandise in West Africa.

The first English voyage to Benin River was in 1553. It came to grief. Its failure was said to be due to the ungovernable temper and incompetence of Windham, who commanded the voyage, and to the heavy toll which death took of his men. It was recorded that of the 140 men who undertook the voyage only 40 returned home to Plymouth, alive.

Windham was followed in 1562 by John Hawkins. He was more successful, but did not come as far as the Bight of Benin. He stopped at Sierra Leone from where he took away 300 slaves. For his exploit, he was knighted by Queen Elizabeth, who none the less described the traffic in slaves as 'a detestable act which would call down the vengeance of heaven upon the undertakers'.

It must be remarked, in passing, that no hypocrisy can be imputed to the Queen for her ambivalent reactions to Hawkins's adventure to West Africa and his participation in 'a detestable act'. A progressive nationalist herself, the Queen had a reputation for inspiring and encouraging the spirit of adventure in her subjects. She had to do so partly because it was then the fashion among the enlightened monarchs of Europe to foster in their people the growth of the spirit of the Renaissance which demanded to know more and more about the truth of the world in which man lived; and partly—and this was of exceeding and crucial importance from her point of view—because the spirit of seafaring adventure in particular, with the skill in seamanship resulting therefrom, was indispensable to the defence of what she herself referred to in her speech before the Battle of Armada as 'the borders of my realm'. She did not, and it would have been impolitic and overscrupulous for her in that age to, concern herself with the motives of her subjects' adventures.

Not only did Hawkins repeat his exploit in slave-trade; his example was followed by many other Englishmen. By the close of the seventeenth century, a lucrative business in slave traffic had developed between England and the whole of West Africa.

At the conclusion of the War of the Spanish Succession in 1713, a series of treaties were signed by the belligerent nations at Utrecht. As one of the defeated nations, Spain gave a number of concessions to Great Britain, one of the victorious powers in the war. Among other things, Spain gave to Britain a 30-year monopoly for the supply of slaves to her possessions in America and the West Indies. Hitherto, because of the Papal Bull conferring monopoly of trade in West Africa on Portugal, Spain had had to obtain her supplies of slaves through Portugal. The Anti-papal Protestant movement, generated by the Reformation, did not alter or improve the position for Spain. She had remained loyal to Rome.

In addition to meeting the needs of Spain under the Treaty of Utrecht, Britain had to meet the ever-growing need for slaves in her American and West Indian possessions. By the middle of the eighteenth century, more than half of the trade in slaves was done by her.

And so, during the second half of the sixteenth century, and as a result of a concatenation of historical landmarks of catholic and eternal significance—namely, the Renaissance, the Reformation, and the discovery of the New World—England established a contact with Nigeria which, through various metamorphoses, subsists to this day and shows promise of unending continuance. From that first contact to about the middle of the nineteenth century, enterprising British citizens bartered arms, spirits, and other merchandise to our people, in exchange for slaves, ivory, pepper, and palm oil.

In other words, whilst the Renaissance, the Reformation, and the discovery of the New World were liberating the people of Europe from the spiritual and intellectual bondage of the Middle Ages—and enriching the coffers of European nations, the nobility, and the middle class—these historic events were laying for us the foundation of 300 years of spiritual and mental darkness, of physical barbarity, and of human degradation, much darker, more barbarous, and worse degraded than anything previously known in our part of the Dark Continent. In the words of Dr. Norman Leys in his book

Kenya, the slave-trade generated 'an ever-widening circle of cruelty and destruction that at length wrecked African civilization everywhere'.

With a little draught of imported spirits, our people quickly acquired a Dutch courage which they could not have come by without virtually drowning themselves in a river of palm wine or locally-brewed beer. Thus dangerously stimulated, they then went out duly armed with their imported weapons which were more powerful and more lethal than machetes, spears, and bows and arrows, to hunt down and capture their less fortunate brethren, with a view to selling them into permanent servitude in distant lands.

Undoubtedly, slavery and slave-trade had existed in our land, as in other primitive lands, centuries before the advent of the first white slavers in the sixteenth century. And our ancestors must have waged innumerable wars against one another before that epoch. But even the best apologist for this period will readily admit that nothing in our so-called inter-tribal wars could compare with the ferocity and carnage which accompanied slave-raids under the stimulus and audacity of English spirits and arms. As for slave-trade and slavery, they were not only, in actual fact, strictly circumscribed and comparatively humanized, they were circumstantially insupportable on any large and inhuman scale by a primitive subsistence economy and an insecure and immobile community such as prevailed in our land before the advent of the white slavers.

The trading in slaves which began around 1553 continued as a legal traffic till 31 March 1808, when the British Act of Parliament abolishing it, and forbidding every British citizen from engaging in it, came into force. But illicit traffic in slaves continued till much later. The reason for this was that though the slave-trade was abolished in 1808, slavery remained legal in British overseas possessions until 1833, when this too was abolished.

The abolition of slavery involved Great Britain in enormous expenditure. She paid the sum of £20m. as compensation to British slave owners for the emancipation of their slaves. The sum of £400,000 was paid to Spain for the right to search her ships for slaves. In addition to cancelling a debt of £600,000, she paid Portugal £300,000 for similar rights north of the equator. In spite of all

this, illicit trading in slaves lingered on in different parts of Nigeria till about the end of 1850.

As we have noted, the British merchants dealt not only in slaves but also in commodities like ivory, pepper, and palm oil. The trade in the more regular articles of commerce grew step by step with the slave-trade and outlasted it. After almost 300 years of contact, the British merchants were left in no doubt as to the rich economic potential of the territory, some of whose resources they had been tapping along the coast of the Bights of Benin and Biafra. But the interior of the territory remained a closed book, and its vast wealth unexplored and unexploited.

In contemplating the exploration and exploitation of the country's interior, the first problem that had to be solved was that of communication. Suitable roads were non-existent. In any case, for British adventurers who had to do about 4,000 miles of sea voyage before reaching our shores, the safest and most welcome routes for penetrating the hinterland would be navigable rivers.

The existence of the River Niger had been known to the Western world for centuries; but its actual course remained a mystery. With a growing awareness of the economic potentialities of Nigeria, British businessmen were determined to solve this mystery. Accordingly, a body known as the African Association was formed in Britain in 1788, with the object generally of exploring Africa, and more particularly of discovering the course of the Niger.

The first person who offered his services to the African Association was John Ledyard. He had planned to discover the Niger via Egypt. But he died in Cairo. Two other unsuccessful attempts were made by Lucas and Houghton, both under the auspices of the Association, in 1789 and 1791 respectively. It was four years after the failure of the third attempt that another offer was forthcoming. This time, it was from a young and intrepid Scottish doctor, by name Mungo Park. His expedition was successful; and, because of that success, he became famous and immortal. On 20 July 1796, he discovered the Niger, which he exultantly and with poetical afflatus described as 'the long sought for, majestic Niger, glittering to the morning sun, as broad as the Thames at Westminster, and flowing slowly eastward'.

Mungo Park returned home to Britain in December 1797, having solved the mystery surrounding the direction of the Niger, but *not* that surrounding its exact course and termination. There was a legend that the Niger flowed into an inland lake or swamp. In fact, an authoritative opinion was expressed as late as 1829 that the Niger, 'after losing itself underground in the deserts beyond Lake Chad, eventually debouched through marsh and quick-sand into the waters of the Mediterranean'.

Nothing, however, happened until 1805 when another expedition, under the auspices of the British Government and commanded by Mungo Park, was sent out to discover the actual course and termination of the Niger. From this expedition, Park never returned. He, together with his four surviving and ailing white companions and three African slaves, perished in 1806 near Bussa, north of Jebba, on the self-same 'majestic Niger'.

After Mungo Park's death, various other expeditions—some of them commanded by names well known to educated Nigerians, like Denham, Clapperton, and Richard and John Lander—were launched with a view to completing the task which Mungo Park had so well begun. Final victory came in 1830 when the Landers discovered that the 'lordly Niger' emptied itself, through unnumbered channels, into the Atlantic Ocean.

Thus the mystery of a great African river was solved; and in the wake of that solution, a new era of legitimate commerce, economic exploitation, political subjugation, and cultural transformation dawned on Nigeria.

Soon after the Landers had made their discovery known, McGregor Laird—another name well known to Nigerians—proceeded to form a company with the object of trading on the Niger. He was a Liverpool merchant, and by 1832 two steamers under his leadership had entered the creeks of the Niger delta. It was the first time that any ocean-going craft did so. This first venture was, however, more an exploration of parts of Nigeria's hinterland than a trading expedition. Laird was only able to get as far as Lokoja. He lost eighteen of his men in the process, and he himself became seriously ill.

To the British merchants and adventurers wanting to do direct

business with the hinterland of Nigeria, the problem was no longer lack of means of access to the market. They were now harassed and nonplussed by a fell disease—later identified as malaria—which constantly took a heavy toll of any group of Europeans who dared to venture beyond the Bights. However, nothing daunted, the British merchants persevered, and by 1860 they had established trading stations along the banks of the Niger. It is apposite to mention that the British mercantile occupation of Nigeria at this time was very much facilitated by the discovery in 1854 of quinine, which was used both as prophylactic and cure for malaria.

By 1870, there were also French merchants trading side by side with the British on the Niger. In order to eliminate competition among themselves and so increase their profits, and to present a common front to their French rivals, the British firms amalgamated in 1879 under the name of the United African Company. This was changed first (in 1881) to the National African Company Limited, and later (in 1886) to the Royal Niger Company Chartered and Limited. It was in the latter name that the amalgamated British firms obtained a Royal Charter dated 10 July 1886.

It must be noted that the Charter did not confer on the Royal Niger Company monopoly of trade on the banks of the Niger, or in any other part of Nigeria. Indeed, the Charter specifically stipulated that '... Nothing in this our Charter shall be deemed to authorize the Company to set up or grant any monopoly of trade. . . .' Consequently, various other British firms were free to, and did in fact, trade side by side with the Royal Niger Company. Under the Charter, however, the Company was made exclusively responsible for the peace and orderly government of the entire Niger basin together with the whole of what is now known as the Northern Provinces of Nigeria.

In other words, like the famous East India Company, the Royal Niger Company was both a trading and a governing concern. It was believed that it discharged its incongruous responsibilities fairly well. It did lucrative business, and governed without excessive partiality. It organized an armed constabulary with British officers in charge. It instituted Courts of Justice, and appointed Sir James Marshall as Chief Justice. It imposed customs duties and trade

licences on indigenous and other foreign traders desiring to trade within its jurisdiction. These imposts were levied with the stated object of raising revenue for civil and military administration, but they were not infrequently used as a monopoly weapon by means of which rival firms were completely excluded from buying and selling in the areas under the Company's jurisdiction. In this connection, it must be pointed out that though the Company's jurisdiction legally covered the Niger basin and the whole of the Northern Region of Nigeria, yet in practice its effective influence did not extend much beyond the banks of the Niger, the Benue, and the rivers in the immediate neighbourhood of its trading stations.

We have already seen that before the discovery of the Niger and of the access to it from the sea, British merchants had been trading along the coast of the Bights of Benin and Biafra. We have also seen that after 1808 it became illegal for British citizens to engage in slave-trade. Whilst, as we have noted, illicit traffic in slaves continued till about 1850, law-abiding British citizens turned their attention, from 1808, to legitimate articles of trade. So that at the time that Mungo Park, Clapperton, and the Landers were busy unravelling the mystery of the Niger in order to make the exploration and exploitation of the interior of the country possible, legitimate trade between Nigeria and Britain along our coast was steadily increasing. The ports of Warri, Lagos, Benin River, Old and New Calabar, Brass, and Bonny had become scenes of increasing activity and British steamships brought in assortments of manufactured goods, and carried away increasing varieties of primary commodities.

In the absence, however, of a body like the Royal Niger Company, exclusively charged with the responsibility for law and order, trading activities on the Bights of Benin and Biafra became somewhat chaotic. The members of each trading expedition were more or less a law unto themselves. To be sure, the Bights were frequently visited by British naval ships. But these visits had nothing to do with the supervision or regulation of trading activities. They were made mainly in connection with Britain's intensive campaign against the slave trade; and partly designed to provide protection for British citizens against threats to, and physical assaults on, their lives and property.

As time went on, however, the British merchants themselves felt the necessity for some form of supervision and regulation of their activities along the coast. In due course they made representations to this effect to their Government; and in 1849 Lord Palmerston appointed John Beecroft as Consul for the Bights of Benin and Biafra. By this appointment, Great Britain established her first-ever diplomatic link with Nigeria.

Before his appointment as Consul, Beecroft was a British Resident in Fernando Po, which, with Spain's consent, had come under British rule in 1827. But in 1844 Spain re-asserted its right by again planting its flag on Fernando Po. As a result, Fernando Po was restored to Spanish rule; and Beecroft, who was then the British Resident there, was appointed by the Spanish Government as the Governor of the island. It was from his gubernatorial seat in Fernando Po that he was expected to discharge the consular responsibility laid upon him by the British Government 'to regulate the legal trade between the ports of Benin, Brass, New and Old Calabar, Bonny, Bimbia, and the Cameroons'.

In 1845 Kosoko, grandson of Ologun Kutere, had deposed King Akintoye and usurped the throne of Lagos, after a very savage and bloody civil war. Akintoye fled to Abeokuta, from where he went to Badagry. After his ascension to the throne, Kosoko boosted, in his domain, the slave-trade, which had already suffered a severe setback as a result of Britain's anti-slave-trade naval operations. He was also openly hostile and unfriendly to the British.

Just as the British were getting thoroughly fed up with Kosoko's uncompromising encouragement of the slave-trade, Akintoye addressed a beautifully worded petition to Beecroft in 1851 in which, among other things, he prayed the British Government to restore him to his throne, and also promised 'to abolish the slave-trade at Lagos, and to establish and carry on lawful trade, especially with the English merchants'. Akintoye's prayer was strongly backed by the Egbas.

In view of all this, and of the intransigence of Kosoko, Beecroft visited Lagos in 1851 with 'a naval force of four hundred men'. He drove King Kosoko from Lagos and restored the exiled Akintoye as the King of Lagos. On 1 January 1852, the latter signed a treaty in

which he undertook to abolish the slave-trade in his territories, and to afford protection 'to Missionaries or Ministers of the Gospel, of whatever nation or country'. After the execution of this treaty, a Vice-Consul was appointed for Lagos to assist Beecroft.

In 1855, Akitoye died and was succeeded by his son, Dosumu, a man of weak character who soon proved his incompetence for the office. In the absence of any head possessed of sufficient ability to control the unruly elements which composed the society of Lagos at the time, the greatest disorder prevailed: there was no effective protection for property; there was no effective machinery for enforcing the payment of debts; traders were maltreated and plundered; and no redress of grievances could be obtained without bribing the officers and retainers in Dosumu's court. Besides, human sacrifices were committed even in sight of the town, whilst clandestine traffic in slaves continued in its immediate neighbourhood. As a result, the Treaty of 1852 became, to all intents and purposes, a nullity, as Dosumu's control over his people was little more than nominal.

Moved by the necessity of interposing some checks to these evils, which were yearly becoming worse, and satisfied that the permanent occupation of Lagos was indispensable to the total suppression of the slave-trade in the Bight of Benin, Her Majesty's Government took the view that the only way by which order and effective administration could be maintained in Lagos was to change its consular status to that of a British Colony.

Accordingly, in 1861, Lagos was ceded to Her Britannic Majesty; and in 1862 H. S. Freeman was appointed the first British Governor for Lagos. Thus Lagos became the first part of Nigeria to come under British rule, and Mr. Freeman the first British official to preside over a colonial regime on Nigerian soil. The Anglo-Nigerian link was now becoming stronger.

Because of our climate, and the high mortality rate among the early European visitors to our land, Nigeria, as well as other countries of West Africa for that matter, was regarded as unsuitable for permanent white settlement. From 1808 to the early sixties of that century, two things appear to have sustained the interests of the British Government in Nigeria. They were: (1) the campaign for

the suppression of slave-trade; and (2) the need to give protection to, and regulate the activities of, British merchants trading with West African countries. Even these self-imposed assignments were almost abdicated by Britain in 1865. On 26 June of that year, the House of Commons adopted the recommendation of a Committee to the following effect:

That all further extension of territory or assumption of government, or new treaties offering any protection to native tribes, would be inexpedient, and that the object of our policy should be to encourage in the natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the governments, with a view to our ultimate withdrawal from all, except, probably, Sierra Leone.

But whilst Britain was contemplating 'ultimate withdrawal' from West Africa, France was frantically busy trying to extend the spheres of her influence there. The Germans too were beginning to think that they also had a rendezvous with imperial destiny in West Africa. Furthermore, by 1880, the scramble for Africa had begun in real earnest. Britain lost no time in steeling her wavering will. In 1884, the rival European powers assembled at a conference in Berlin under the chairmanship of Otto von Bismarck. At that conference, the imperial powers reached a settlement about the final demarcation of their respective spheres of influence in Africa.

It would appear, however, that the settlement was an uneasy one. For, in spite of it, the French, the British, and the Germans continued to intrigue against one another for an extension of their spheres of influence. In particular, the Germans felt that their great leader von Bismarck had not pressed their claim sufficiently at the Berlin Conference. As a result, there were treaty-making offensives all over the place. Different methods were employed to induce or coerce our people to agree to place themselves and their territories under British protection. Bribery, cajolery, intimidation, military aggression—any of these was used as occasion demanded, and without the slightest compunction.

As time went on, it became clear to the British Government that the Royal Niger Company was unequal to the mounting demands of the imperial rivalry in which the British and the French, in particular, had locked horns. To start with, the effective influence of the

Company, as we have noted, had never extended very much beyond the banks of the Niger, Benue, and the rivers in the immediate vicinity of their trading stations. Besides, as a trading concern with naturally very limited resources, and whose primary object, in any case, was to make the maximum possible profit, the Company was very ill-equipped, and could not, in the circumstances, be expected to provide the financial, administrative, diplomatic, and military wherewithal which the new Anglo-French imperialist competition warranted. Furthermore, the other firms trading along the banks of the Niger had made complaints of monopolistic practices, in breach of its Charter, against the Company. Because of all this, the Company's Charter was revoked with effect from 1 January 1900, when the British Government assumed control of all the territories formerly placed under the jurisdiction of the Company.

Under the instrument of revocation, compensation was paid to the Royal Niger Company as follows:

- (1) £450,000 for expenses incurred in connection with administration.
- (2) £115,000 for buildings and stores taken over for military and administrative purposes; and
- (3) £250,000 public debt.

In addition, the British Government undertook to impose royalties on minerals won in the area lying between and north of the Niger and Benue, with the exception of Bornu Province, and to pay to the Company for a period of 99 years from the revocation of its Charter, half of the receipts of such royalties. In 1949 the sum of £2½m. was paid by the Nigerian Government to the United Africa Company Limited—successor of the Royal Niger Company—as full compensation for the surrender by it of its right to a moiety of royalties for the unexpired period of 50 years.

By 1 January 1900, the colonization of Nigeria had been almost fully accomplished. The country was, at that date, administered by Britain, either directly or indirectly, in three separate units:

- (1) The Colony and Protectorate of Lagos which consisted of the areas of authority of the present Western State and Lagos State Governments, excluding Egba Division.

- (2) The Protectorate of Southern Nigeria which comprised roughly the areas of authority of the present three Eastern States, and of the Midwestern State Government.
- (3) The Protectorate of Northern Nigeria which was more or less the same as the present six Northern States.

There was also an indigenous sovereign state which constituted a tiny enclave in this huge dependency. It was known as the Egba United Government. It came into existence in 1893, and its area of authority was coterminous with what is now known as the Egba Division of Abeokuta Province.

In 1906 the Colony and Protectorate of Lagos and the Protectorate of Southern Nigeria were merged into one administrative unit known as the Colony and Protectorate of Southern Nigeria. On 1 January 1914, the latter and the Protectorate of Northern Nigeria were amalgamated to form the Colony and Protectorate of Nigeria. On 16 September 1914, under circumstances which could not be regarded as altogether free from the taints of fraudulent diplomatic manœuvres and duress, the Alake of Abeokuta was made to surrender the sovereignty of his tiny domain, and to place it 'unreservedly under the Government of the Protectorate of Nigeria'. By this act, the colonization of the whole of Nigeria by Britain was consummated.

How They Ruled

1. From Lugard to Richards

WE HAVE SEEN that by 1 January 1900, four distinct administrative units had emerged. They were: (1) The Colony and Protectorate of Lagos under a Governor; (2) The Protectorate of Southern Nigeria under a High Commissioner; (3) The Protectorate of Northern Nigeria under a High Commissioner; and (4) The Egba United Government under the Alake of Abeokuta and his Chiefs. British officials in charge of the first three were responsible to the Colonial Office. But this had not always been the case.

Before 1900, British officials in Nigeria were responsible to three different authorities. Those in the Niger Coast Protectorate, later known as the Protectorate of Southern Nigeria, were responsible to the Foreign Office; those in the Colony and Protectorate of Lagos, to the Colonial Office; while those in charge of the areas which later became the Protectorate of Northern Nigeria were responsible to the Board of Directors of the Royal Niger Company. This extraordinary administrative set-up was streamlined in 1900, and fully rationalized in 1914 under the Governor-Generalship of Lord (then Sir Frederick) Lugard.

An imperialist of a very deep dye, Lord Lugard was an exceedingly able and resourceful administrator, and a brilliant soldier. To him, more than to anyone else, belongs the credit and discredit for setting Nigeria on a course which Nigerian nationalists and patriots feel themselves obliged to pursue, albeit with mixed feelings, till the present day. We shall have more to say on this assertion in Chapter 4. For the time being, let us try to learn, among other things, a little more about this man and his doings in Nigeria.

His first visit to Nigeria was in 1894. He was then a soldier with

the rank of Captain; and he had come here, on behalf of the Royal Niger Company, to negotiate treaties with the Chiefs of Borgu. It was his speed and skill in the conduct and conclusion of the negotiations that won Borgu for Britain and Nigeria as against France and Dahomey. He had beaten the French to it by only five days.

After a spell of service with the British East India Company, he reappeared on the Nigerian scene in 1897, as Brigadier-General. He had been commissioned by the British Government to go to West Africa to raise a local military force which was to be officered by men from the British army. The immediate object of this arrangement was to cope with the threats of French aggression on the western boundaries of Northern Nigeria. But it was also intended that this force, together with three companies of the West Indian Regiment, would combine to protect British possessions in West Africa. He executed his mission successfully, and the Royal West African Frontier Force, with headquarters at Jebba, was born. It must be mentioned that the R.W.A.F.F. remained in being for 60 years. It was disbanded, and reconstituted on strictly national basis, when Ghana pulled her men out of it on her attainment of independence in 1957.

On 1 January 1900, Lugard became High Commissioner of the Protectorate of Northern Nigeria. As we have noted, one of the things which led to the revocation of the Charter of the Royal Niger Company was its inability to bring the bulk of the areas within its allotted jurisdiction under effective administrative control and, hence, British influence. As a matter of fact, when the Protectorate of Northern Nigeria was inaugurated in 1900, slave-raids, slave-trade, and slavery were prevalent in most parts of the North, and internecine wars continued to be waged. But within the space of six years, Lugard had, by force of arms and clever diplomatic moves, subdued the North and pacified it. He had, into the bargain, established orderly government as well as effective British influence throughout the region.

The size of Northern Nigeria, coupled with the difficulties of communication and of means of transportation, presented formidable administrative problems. Direct administration of such an area, under the prevailing conditions, would have involved the British

Government in extremely heavy expenditure. A large army of administrative and military personnel of British origin would have been required. The expenditure necessary to maintain such a huge personnel would have been considered by the British Government to be quite disproportionate to Nigerian prospects. And, in any case, it would have been impossible to attract British citizens of the right type and education, in those numbers, for service in Nigeria, which like other countries on the west coast of Africa, had earned the odious reputation of being the 'White Man's Grave'.

Furthermore, direct British Rule would have almost implacably antagonized and embittered another imperial power, indigenous to Africa, the Fulani, which had preceded the British to the North by about 100 years. Indeed, with other 'principalities and powers' prowling around for more and more of the African loot, and waiting for Britain's injudicious and unguarded hours, such a course would almost certainly have had the effect of driving the ruling class in the North into the imperialist embrace of the French or the Germans.

Lugard clearly comprehended the complex problems with which he was confronted, and lost no time in devising realistic and effective solutions for them. He divided the territory under his charge into Provinces, with a British Resident at the head of each. Every Province was in turn organized into administrative Divisions with a District Officer in charge of each. The Resident was directly responsible to Lugard; whilst the District Officer was answerable to the Resident. The actual day-to-day administration of the areas under a Resident was entrusted wholly to the Paramount Chiefs, or Natural Rulers as they are sometimes called, assisted by their traditional chiefs and councillors. Such legislative and executive bodies as well as such Courts and other political and civil institutions as they had evolved for themselves were allowed to continue to function, subject to such supervision and guidance as the Resident or the District Officer considered absolutely necessary. Their laws and customary usages, in so far as they were not repugnant to good conscience and the principles of justice and equity, were to be administered and upheld in all cases within their respective domains. Within all these limits, and so long as a Natural Ruler was amenable to official guidance and restraint and remained indubitably loyal to

the British Government, he was to be given the fullest backing for all his actions by the Resident, to whom alone he was responsible in the discharge of his civil and public duties. This governmental set-up is popularly known as the 'Indirect Rule' system. Whatever may be our criticisms of it, we are bound to admit that the system was an ingenious product of an agile, fertile, and penetrating mind.

Lugard also pursued a closed-door policy against Christian missionaries in the North. In 1903, the reigning Sultan of Sokoto had been deposed after severe fighting, and another person had been appointed in his place. At the installation ceremony of the new Sultan, Lugard had made a pledge to him and his people that their religion would be respected, and would not be interfered with. This pledge became a fundamental principle of policy with Lugard and successive British administrations in the North. In pursuance of this policy, Christian missionaries were consistently and inflexibly forbidden to propagate the Gospel, or engage in any activities in any part of the region, including the predominantly pagan areas. At the same time, Moslem teachers were free to spread their religion to all parts of the North, and to win new converts.

This policy was obviously discriminatory and uncharitable. Many people in Britain and Southern Nigeria had criticized it on those grounds, as well as on the ground that respect for and non-interference with the religion of Islam did not preclude the evangelization of non-Moslems. But Lugard remained faithful to his policy, and had once defended it in the following words:

the difficulty lies in the fact that, if the advent of missions is authorised by the Government, it is extremely difficult to avoid the conclusion in the minds of the people that they are under the special aegis of Government. The missions would not withdraw at the behest of the paramount chief, as they would have been compelled to do before the advent of the British Administration, and would look to the Government for protection. In a country where it is of vital importance to maintain the prestige of Europeans, insults to missionaries must of necessity be resented by the Government.¹

In 1906, Lugard resigned his appointment as High Commissioner of Northern Nigeria, to take appointment as Governor of Hong Kong in 1907. It was from the latter place that he returned to Nigeria in 1912 as Governor, simultaneously, of both the Colony

and Protectorate of Southern Nigeria, and the Protectorate of Northern Nigeria.

During the six years from 1900 to 1906, when Lugard was busy subduing and pacifying the North with astonishing efficiency, other servants of the British Crown, less outstanding but equally faithful to their trust, were also busy strengthening, as best they could, British sovereignty over the southern parts of the country. Sir W. McGregor, Sir R. D. R. Moor and Sir W. Egerton were Lugard's contemporaries in Southern Nigeria.

The problems which confronted these men were not as intractable as those with which Lugard had to grapple. The area of the South was much smaller; and access to many parts of it was provided by the Bights of Benin and Biafra, the lagoons, the Niger and its creeks, and a number of inland waterways like Ogun River, Benin River, Qua Iboe River, and Cross River. The population of the South was also much more concentrated. By 1900, a number of roads had been constructed chiefly by forced labour, and sometimes through voluntary communal efforts. In the same year, the construction of the railway from Ebute-Metta to Ibadan had been completed, and the Carter and Denton Bridges, respectively linking Lagos with Iddo, and the latter with Ebute-Metta, had been opened to traffic. Even the streets of Lagos had been electrically lit in 1898.

There were other factors which helped to lighten the burdens of the British officials in the South. A good many emancipated slaves had returned to Nigeria, and had taken residence mainly in and near the coastal areas where life was comparatively more congenial. Practically all of them were literate in English.

There was also an open-door policy towards missionaries of all beliefs—Christians, Moslems, and others. In fact, the first batch of Christian missionaries had started to operate in the South in the 1840s, thereby formally preceding regular British officials to the territory. By 1900, missionaries of various denominations had entrenched themselves in different parts of the South. They had opened schools, hospitals, and dispensaries, and had produced not an inconsiderable crop of educated Nigerians among whom were devout Moslems.

Most of these educated Nigerian *élites* co-operated whole-

heartedly with the British officials. They did so in the honest belief that the cardinal policy of the British Government in Nigeria was directed towards a number of specific objectives, namely: the suppression of slave-raids and the slave-trade; the termination of inter-tribal and internecine wars; the creation of a peaceful atmosphere for the propagation of the Christian religion, the advancement of education, and the promotion of legitimate commerce and industry; and finally the establishment of British rule for these purposes, coupled with the training of Nigerians in the art of civilized government leading to the eventual withdrawal of British control.

Because of the prevalence in the South of the comparatively felicitous factors which we have just mentioned, and which were at that time largely absent in the North, the systems of administration adopted in the two territories were essentially different.

The system in the South did not conform to the principles of 'indirect rule'. Nor could it be strictly classified as 'direct rule'. Various strategic towns had been chosen as headquarters. These were adequately garrisoned; and from there British officials endeavoured to ensure that Pax Britannica was maintained in all the land, and that the imperial objectives were achieved.

The Paramount Chiefs and their people were left largely alone to fend for themselves, and to manage their civil affairs as of old within the limitations of good conscience, and the principles of justice and equity. Any trespass beyond these confines was swiftly and firmly dealt with. Side by side, the British officials conducted their own civil administration in respect of such members of the community as cared to avail themselves of British justice and fair play at its local fountain. For this purpose, British officials ran their own courts and local constabulary. The garrisons were under their immediate surveillance. In addition, either on their own initiative, or on the invitation of the Natural Rulers, they called on the latter or summoned them to their offices, to tender advice and guidance to them.

As we have seen, Lugard returned to Nigeria in 1912 as Governor of the Southern and Northern Protectorates of Nigeria, including the Colony of Lagos. He had, no doubt, been appointed to these governorships in order that he might bring about the amalgamation of the two territories. We have noted that his experiment with

'indirect rule' in the North had proved eminently successful under his own personal direction. It must be pointed out, however, that the system continued to be equally successful under Sir E. P. C. Girouard and Sir H. H. Bell, who succeeded him in the period between 1906 and 1912. In the circumstances, he would in all probability have introduced the system to the South after its amalgamation with the North in 1914. On the other hand, he might well have chosen to introduce a thorough-going direct rule to the South, instead of the hotch-potch of British-cum-indigenous administration which was in vogue. At any rate, the First World War of 1914-18 forced his hand, and left him with only one choice for the whole country.

The incidence of the war had seriously depleted the ranks of British officials serving in Nigeria. Some had either been called up or assigned to duties with the Nigerian Regiment. Some of those who had gone home on leave were unable to secure passages back to the country. Several others who were returning to their posts had perished at sea as a result of enemy action. And immediate replacements were impossible.

A problem of entirely new dimensions had arisen. But Lugard's genius, which unfailingly advanced his fortunes throughout his career, quickly came to the rescue; and he lost no time in seizing the opportunity thus presented.

Overami, the Oba of Benin, who had been deposed and banished to Calabar in 1897, died in 1914. By popular acclamation his son was chosen by the Benin people to succeed to the throne. But Government recognition of the people's choice was necessary. In according this recognition, the Government dictated a number of terms as conditions precedent. One of them was that the new Oba must accept the 'indirect rule' system as a principle of administration in his domain. After 17 years of waiting, the new Oba was only too ready to accept all the conditions imposed. In any case, from the Oba's point of view, there was nothing onerous about the conditions in general, or about 'indirect rule' in particular. To be sure, the acceptance of the principle of 'indirect rule' did involve the application, in the area of his authority, of the novel and explosive principle of direct taxation. At the same time, it also meant that, for all

his lawful actions, he would get the full backing of the Governor-General. The new Oba accepted the conditions. But as it turned out, the Benin people, who it had been feared would react unfavourably to the acceptance of the 'indirect rule' and the eventual imposition of the poll tax which it involved, gladly welcomed it.

The Alafin of Oyo, realizing from the Benin example the accretion of his power and prestige which the application of 'indirect rule' to his domain would import, voluntarily requested the Governor-General to apply the system to his area. But in this case, the adoption of the system led to an eruption in Iseyin in which many people were killed. There were similar troubles in a few of the other places in Western and Midwestern Nigeria, where the system had either been imposed or introduced at the express request of the Natural Rulers. But all the revolts were quickly and decisively crushed.

Lugard's boldest experiment in 'indirect rule' was done in Eastern Nigeria. Save in a very few places, there were no Natural Rulers in Eastern Nigeria of the stature and jurisdiction of those in the North, West, or Midwest. But Lugard 'manufactured' them. A number of influential persons were made 'Natural Rulers' by Warrant. These artificial 'Natural Rulers' were known as 'Warrant Chiefs'. On his appointment, a Warrant Chief became the Paramount Chief for a specified area, enjoying the same authority and privileges and subject to the same limitations as a Natural Ruler in the North or West or Midwest. Even this daring innovation succeeded for well over a decade, before it suffered ignominy and shame. Lugard left Nigeria finally in 1918. Thereafter, the 'indirect rule' system, with various degrees of malpractice and readjustment, was on the forward march throughout the country, except Lagos. It did not suffer any tangible set-back until the early fifties.

Like the North, the South was divided into Provinces and Divisions. On amalgamation, the two Protectorates of Northern and Southern Nigeria retained their identities as Northern and Southern Provinces of Nigeria, with headquarters at Kaduna and Enugu. Lagos was detached from the former Colony and Protectorate of Southern Nigeria and placed under a Commissioner. Each of the two groups of Provinces was headed by a Lieutenant-Governor. These three heads were directly responsible to the Governor-General.

The Residents were now immediately responsible to the Lieutenant-Governors, while the District Officers continued to be answerable to the Residents.

On 1 April 1939, there was a reorganization, under which the Southern Provinces were divided into Western and Eastern Provinces with headquarters at Ibadan and Enugu. The title of the head of each of the three resulting groups of Provinces was changed to Chief Commissioner. The title of Governor-General was personal to Lord Lugard; and, until 1954, his successors in office bore the title of Governor.

Before 1914, British officials derived their authorities to govern the units of which Nigeria was composed from various Orders-in-Council and Royal Letters Patent. There was no council of any kind: whether deliberative, legislative, or executive. But in 1914, Lugard launched three separate councils. They were:

(1) *Executive Council*: This Council consisted of:

- (i) Chief Secretary to the Government;
- (ii) Lieutenant-Governors;
- (iii) Attorney-General;
- (iv) Treasurer;
- (v) Commandant Nigeria Regiment; and
- (vi) Director of the Medical and Sanitary Services

as *ex officio* members, with the Governor-General as its President. The function of the Council was to advise the Governor-General in the discharge of his responsibilities for the whole of Nigeria. He was quite competent to accept or reject the Council's advice. In the latter case, however, he would have to report to the Secretary of State, stating in full the reasons for his action.

(2) *Nigerian Council*: This was a deliberative and advisory Council for the whole of Nigeria, excluding Lagos. The purpose of this Council, according to Lugard himself, was to afford a public opportunity for the Governor-General on the one hand, 'to give a summary of matters of interest during the past year, to review and forecast the position of trade and finance, and to emphasize and explain any questions of policy and legislation of importance'; and for the

members of the Council, on the other hand, to express an opinion on the Governor-General's statement. The Council comprised the Members of the Executive Council, Senior Residents, and a number of unofficial members (with a minority of African members of Southern Nigeria origin only) nominated by the Governor-General. The expatriate unofficial members represented business interests.

(3) *Legislative Council for the Colony of Lagos*: This consisted of the Commissioner of the Colony, a number of other officials, and four unofficial members—two of them Africans—nominated by the Governor-General. As its name explicitly suggests, this was a legislative body. All laws affecting the Colony of Lagos alone, to the exclusion of the rest of the country, were passed with its advice and consent, subject of course to the Governor-General's reserved power.

In addition, a Native Authority was constituted for each Division. This consisted of the Natural Ruler or Warrant Chief as the Sole Authority, advised by a body of subordinate chiefs or elders. The Natural Ruler or Warrant Chief was regarded as an integral part of the Government, and was to all intents and purposes the agent of the Lieutenant-Governor to whom alone he was accountable.

It must be remarked, in passing, that though the majority of the educated *élites* in Southern Nigeria wholeheartedly welcomed and supported Lugard's administrative arrangements, there was an articulate minority, consisting of professionals based in Lagos, who did not hesitate to raise their voices in outright condemnation of it all. They expressed the view that if the British Government was sincere in its professed aim of training the people for eventual self-government, the Governor-General should, from the very start, have incorporated educated Nigerians into the business of Government at all levels, especially at the Divisional level. They condemned the 'indirect rule' system *per se*, and its introduction to Southern Nigeria. But these voices of dissent were not only ignored but the critics were denounced as 'agitators', 'political adventurers', and, in Lugard's own words, as 'self-styled leaders from the coastal areas'.

In 1922 the Nigerian Council and the Legislative Council for Lagos were abolished. By the Nigeria (Legislative Council) Order-

in-Council of the same year, a Legislative Council for Nigeria was established. Subject to the Governor's reserved power, this Council had authority to make laws for the Colony of Lagos and the Western and Eastern Provinces of Nigeria; while the Governor alone was empowered to make laws for the Northern Provinces. There were 31 official, and 21 unofficial members of this Council. Of the latter, only 10 were Nigerians. Three and one of them respectively represented Lagos and Calabar, and were elected on the basis of a franchise limited by property and income qualifications. The remaining six were nominated by the Governor to represent Egba, Colony, Rivers, Warri-Benin, Oyo, and Ibo Divisions. The 11 expatriate unofficial members represented banking, shipping, mining, and commercial interests.

Lugard's Executive Council of 1914 was also abolished in 1922; and in the same year another body of the same name was set up by Royal Letters Patent. The composition, jurisdiction, functions, and powers of this Council were exactly the same as those of its predecessor, save that the Director of Education was an 'appointed member'. Two other officials were appointed to the Council in 1941, as well as two European unofficial members representing business interests and one unofficial Nigerian member.

The Nigeria (Legislative Council) Orders-in-Council, 1922, were repealed and replaced in 1946. The new Order-in-Council² made provisions for a Legislative Council with powers to make laws for the whole of Nigeria, subject to the usual reserved powers of the Governor. In addition, there were a House of Chiefs and a House of Assembly for the Northern Provinces, and a House of Assembly each for the Western and Eastern Provinces. The Houses of Chiefs and Assembly only had deliberative and advisory jurisdiction *vis-à-vis* the Nigerian Legislative Council. The principles which governed the provisions of this new constitution were stated in the White Paper introducing it as follows:

to promote the unity of Nigeria; to provide within that unity for the diverse elements which make up the country; and to secure greater participation by Africans in the discussion of their own affairs.³

The President of the Northern House of Chiefs was the Chief

Commissioner, Northern Provinces. He had an original and a casting vote. The other members of the House were:

- (1) all the First-Class Chiefs—there were 15 of them in 1947;
- (2) 10 Second-Class Chiefs nominated by the Chief Commissioner from among a total of 29 Second-Class Chiefs;
- (3) the Senior Resident;
- (4) 11 Residents for the remaining 11 Provinces of Northern Nigeria;
- (5) Secretary, Northern Provinces;
- (6) Deputy Financial Secretary;
- (7) Deputy Director of Education;
- (8) Deputy Director of Agriculture;
- (9) Deputy Director of Medical Services;
- (10) Deputy Director of Public Works;
- (11) Crown Counsel.

It will be seen that the House of Chiefs consisted of 25 Chiefs and 19 officials.

The composition of each of the Houses of Assembly and of the Nigeria Legislative Council was as follows:

NORTHERN PROVINCES

Official Members—19 in all:

- (1) The Senior Resident who was President of the House with original and casting votes;
- (2) 18 other officials who were also members of the House of Chiefs, as set out above.

Unofficial Members—20 in all:

- (1) 14 Provincial Members selected by Native Authorities from their members, other than major Chiefs;
- (2) 6 Members nominated by the Governor, on the advice of the Chief Commissioner, for the purpose of securing adequate representation of the Pagan Community, smaller Native Authorities, the Sabon Gari communities, industry and commerce or any other important aspects of life not otherwise adequately represented.

WESTERN PROVINCES

Official Members—14 in all:

- (1) The Chief Commissioner who was President, with original and casting votes;
- (2) 6 Residents;
- (3) Secretary, Western Provinces;
- (4) Deputy Financial Secretary;
- (5) Deputy Director of Education;
- (6) Deputy Director of Agriculture;
- (7) Deputy Director of Medical Services;
- (8) Deputy Director of Public Works;
- (9) Crown Counsel.

Unofficial Members—15 in all:

- (1) 3 Chiefs nominated by the Governor, after consultation with the Western Provinces Chiefs;
- (2) 7 Provincial Members selected by the Native Authorities from their members, other than major chiefs;
- (5) 5 Members nominated by the Governor, on the advice of the Chief Commissioner, from among prominent citizens of the Provinces who were considered to represent important aspects of life not otherwise adequately represented.

EASTERN PROVINCES

Official Members—13 in all:

- (1) The Chief Commissioner who was President, with original and casting votes;
- (2) 5 Residents;
- (3) Secretary, Eastern Provinces;
- (4) 6 other officials as under Western Provinces above.

Unofficial Members—14 in all:

- (1) 9 Provincial Members selected by the Native Authorities from their members. (NOTE: *Before this time, the offices of the Warrant Chiefs had been abolished*).
- (2) 5 Members nominated by the Governor, on the advice of the Chief Commissioner from among prominent citizens

who were deemed to represent important aspects of life not otherwise adequately represented.

NIGERIA LEGISLATIVE COUNCIL

Official Members—21 in all:

- (1) The Governor who was President, with original and casting votes;
- (2) Chief Secretary to the Government;
- (3) 3 Chief Commissioners;
- (4) 3 Senior Residents, one each from the three groups of Provinces;
- (5) Attorney-General;
- (6) Financial Secretary;
- (7) Development Secretary;
- (8) Director of Education;
- (9) Director of Agriculture;
- (10) Director of Medical Services;
- (11) Director of Public Works;
- (12) Commissioner of Labour;
- (13) Director of Marine;
- (14) Comptroller of Customs and Excise;
- (15) General Manager of the Railway;
- (16) Commissioner of Police;
- (17) Commissioner of Lagos and Colony.

Unofficial Members—28 in all:

- (1) 4 Chiefs selected by the Northern House of Chiefs from its members;
- (2) 2 Chiefs from the Western Provinces, nominated by the Governor from among the three Chiefs who were members of the Western House of Assembly;
- (3) 5 Members from the Northern Provinces selected by the unofficial members of the Northern House of Assembly from their own numbers;
- (4) 4 Members from the Western Provinces, selected in the like manner;
- (5) 5 Members from the Eastern Provinces similarly selected;

- (6) 1 Member for Calabar, elected as under the 1922 Order-in-Council to represent Calabar township;
- (7) 3 Members for Lagos elected as under the 1922 Order-in-Council to represent the Municipality of Lagos;
- (8) 1 Member for the Colony, nominated by the Governor after consultation with the Native Authorities in the area;
- (9) 3 Members nominated by the Governor because of their expert knowledge in certain aspects of life not adequately represented in the Council.

This constitution did not affect the composition and powers of the Executive Council which was constituted by Letters Patent in 1922; save that the ratio of two to one between the expatriate and indigenous members of the Council was reversed.

We have seen that of the total members of the Northern, Western, and Eastern Houses of Assembly, 14, 7, and 9 respectively were selected by Native Authorities from among their members. A word or two about the composition of a Native Authority at the time of the selections is, therefore, essential to a proper understanding and appreciation of the representatives of these selected members.

It has been pointed out that at the time of Lugard, a Native Authority was for all practical purposes the Natural Ruler advised by a body of subordinate chiefs. The position remained more or less the same in 1946, and indeed up till the early fifties, in the North and West.

As a result of persistent agitation on the part of Nigerian nationalists and of criticism by a few British political observers, Sir Donald Cameron (himself a progressive Colonial Administrator) had, in 1933, initiated reforms in Native Administration which had since been gradually improved upon.

The advisory composition of the Native Authority in the West had been enlarged by the inclusion of a number of members other than subordinate traditional chiefs. These members were in a very small minority; and their appointment was, by law, vested in the Resident acting in his own discretion.

In practice however, the appointment was usually made in two stages. In the first stage, a whole town, district, village, or quarter

was asked to recommend the name of one person for appointment to the Native Authority. The subordinate chiefs and elders of the area concerned would then assemble at a meeting to agree on a name for submission to the Resident. The second stage was that when the latter had received the name, he would then decide, in his discretion, whether to accept or reject it. In the one case, he would appoint the person named as a member of the Native Authority; in the other, the chiefs and elders concerned would have to meet again and consider another candidate.

In the North, however, it was the Natural Ruler who, in practice and in his sole discretion, nominated, for appointment by the Resident, those persons other than subordinate traditional chiefs who would sit as advisers in the Native Authority. Invariably, the persons nominated were employees of the Native Authority.

In the Eastern Provinces, the office of Warrant Chief having been abolished in 1933, the first stage in the appointment of a member of Native Authority was conducted by an assemblage of Clan Heads and taxpayers in a village, quarter, or ward. The second stage consisted, as in the West and North, in the Resident giving his confirmation to the choice of the village, quarter, or ward meeting.

Thus, in effect, a Native Authority in 1946 consisted (in the North and West) of the Natural Ruler, his subordinate traditional chiefs, and a small minority of selected members; and (in the East) of persons wholly selected.

It must be pointed out that, in practice, the Resident almost invariably appointed the nominees (in the case of the West) of the subordinate chiefs and elders, and (in the case of the North) of the Traditional Ruler. But this was because the Natural Ruler, both in the West and in the North, always saw to it that only a person who was likely to be acceptable to the Resident was nominated in the first instance. The Paramount Chiefs and the British officials always kept up-to-date lists of Nigerian 'agitators' and 'self-styled leaders'; and the Paramount Chiefs, as the Residents' loyal agents, were always vigilant to ensure that only 'good' Nigerians were recommended to the Residents. There were, however, a few urban areas in the Western Provinces where the taxpayers, under the leadership of

some 'agitators', forced their way into the nomination meetings, voted for some candidates from among themselves, and by sheer weight of public opinion, compelled the Residents to appoint those candidates. In the case of the East, the Resident had to accept the choice of the village, quarter, or ward meeting.

The system of judicature, which was introduced by Lugard, continued with institutional modifications to the close of Macpherson's regime which is the theme of the next section.

In 1914, there were three types of court operating side by side. They were the Supreme Court of Nigeria, the Provincial Courts, and the Native Courts. In the first two, the common law, doctrines of equity, and the statutes of general application which were in force in England on 1 January, 1900, together with local enactments, were in force; whilst, in all the three, native law and custom were observed and enforced among natives so long as such law and custom were not incompatible with the natural principles of justice and equity, or contrary to local enactments.

The Supreme Court consisted of a Chief Justice and Puisne Judges. It had unlimited jurisdiction in all matters, and served as a Court of Appeal to the Provincial Courts in civil causes. But its territorial jurisdiction was limited to the Colony and certain important trading centres in the Protectorate. Appeals from the Supreme Court lay to the Full Court which also consisted of the Chief Justice and the other Puisne Judges of the Supreme Court. Three of them usually sat at a time. But no Judge whose judgment was the subject-matter of an appeal was allowed to sit with the panel hearing the appeal.

Police and Station Magistrates, as well as a District Officer in charge of a district within which lay any area included in the jurisdiction of the Supreme Court, were *ex officio* Commissioners of the Supreme Court, with powers in civil cases where the amount in dispute did not exceed £50, and in criminal cases where the punishment did not exceed a fine of £50, or six months' imprisonment. An appeal from the decision of a Commissioner lay to the Supreme Court. Besides, all cases tried by the Commissioners were subject to review by the Chief Justice who had power to reverse any judgment.

The system of Provincial Courts which had previously existed in the Northern Provinces, was extended in 1914 to Southern Nigeria. A Provincial Court had an equivalent jurisdiction to that of the Supreme Court in all matters, save that no sentence of death, deportation, imprisonment exceeding six months, fine over £50, or corporal punishment exceeding 12 strokes could be carried out until it was confirmed by the Governor or his delegate. The full powers of the Court were vested *ex officio* in the Resident of a Province, as well as in any District Officer who had proper qualifications. All Administrative Officers were *ex officio* Commissioners of the Court, and exercised such powers as might be conferred on them.

There were four grades of Native Courts, namely: Grades A, B, C, and D. Grade A had full judicial power in civil actions and criminal cases; but no sentence of death could be carried out until it was confirmed by the Governor. Grades D, C, and B had jurisdictions in civil actions where the debt demand or damages ranged between £10 and £100, and in criminal cases where the offences were punishable by imprisonment for periods of between three months and one year, or fines ranging from £5 to £50.

At all material times since 1900, the Judges of Native Courts in Northern Nigeria were composed of Paramount Chiefs and Alkalis. Before 1914, the Native Courts in the South were presided over by the District Officers assisted by Traditional Chiefs who sat as Assessors. From 1914, however, the District Officers were withdrawn and the Courts in the South were presided over by Head Chiefs or Warrant Chiefs and/or their subordinate chiefs.

Appeals from Native Courts lay to the District Officers, the Residents, and the Lieutenant-Governors. At the same time all the judgments of a Native Court were subject to review by an Administrative Officer, whatever his rank.

Barristers and solicitors could appear in the Supreme Court, but were barred from appearing in Provincial and Native Courts.

The total exclusion of barristers and solicitors from Native Courts was understandable, but such exclusion from Provincial Courts was severely criticized by Nigerian nationalists. In defence of himself, Lugard justified his policy on the grounds : (1) that by and large the Judges of the Courts had no legal training; and (2) that it was

necessary to protect ignorant Nigerian litigants against 'the fomenting of litigation by lawyers' agents especially in land cases'.

The Provincial Court system was abolished in 1934. In its place was instituted a High Court of the Protectorate of Nigeria, presided over by legally qualified Judges before whom lawyers were allowed to appear. In 1943, after nine years of existence, the High Court was abolished, and the territorial jurisdiction of the Supreme Court was extended to cover the whole country.

In 1933, the Full Court was abolished and was replaced by the West African Court of Appeal which had territorial jurisdiction over the four British Colonies of Nigeria, Gold Coast, Sierra Leone, and the Gambia. The Members of the Court were drawn from among the Judges of the four territories.

Further changes in the system of judicature were made in 1954 when the country adopted a federal constitution. A Federal Supreme Court with a Federal Chief Justice and Federal Judges was established for the whole country. It had appellate jurisdiction in all matters, and original jurisdiction in matters involving the interpretation of the Constitution and the determination of issues between two Regional Governments or between the Federal Government and a Regional Government. A High Court with a Chief Justice and Judges was established for each of the Regions and for the Territory of Lagos.

Appeals from the Full Court, the West African Court of Appeal, and the Federal Supreme Court (up to 1 October 1963) lay to the Judicial Committee of the Privy Council in London.

Under Lugard, and indeed, up to 1931 when Sir (then Mr.) Oluṃuyiwa Jibowu was appointed Police Magistrate, all the Judges, Magistrates, and Legal Officers were British nationals, with a slight admixture of light-skinned West Indians. All the top posts in the public service as well as in the army, navy, police force and the prisons were also held by Britons. Because of this exclusiveness, these posts were popularly and vulgarly known as 'European Posts'.

It was in the late thirties, and as a result of persistent and prolonged agitation, that Nigerians were admitted into the lower rungs of the so-called European Posts.

Immediately after World War II, and understandably so, more Nigerians were moved to these lower rungs. But the top echelons of the administrative structure remained in the exclusive control of British nationals.

After the advent of the Macpherson Constitution, however, a revolution began in the appointment of Nigerians to the Bench and to the top posts in the public service including the armed forces, police, and prisons.

From the time of Lugard to the Second World War, trade, commerce, and other economic enterprises, together with education and health services, were left severely alone, in the care of private entrepreneurs and missionary agencies. Towards the close of the Second World War, and under the stimulus of the Colonial Development and Welfare Fund, a Ten Year Development Programme was launched.

But it is worthy of note that by 1916 the Public Debt of Nigeria already stood at £8,470,593. This money had been borrowed in 1905, 1908, 1911, and 1916 for the construction and equipment of the Western Railway, Lagos Harbour Works, Lagos Waterworks, and what were officially described as 'remunerative public works'.

2. *Under Macpherson*

The author, in every sense of the word, of the 1946 Constitution was Sir Arthur Richards (now Lord Milverton), then Governor of Nigeria. He handed the constitution down to the people of Nigeria, without any consultation whatsoever. And he got away with it; the scathing criticisms of the 'agitators' notwithstanding. For short, this constitution is popularly known as the Richards Constitution.

The next constitution, which abrogated and took the place of the Richards Constitution, was introduced in 1951, during the Governorship of Sir John Macpherson. This was christened the Macpherson Constitution. It was, in every respect, radically different from the Richards Constitution.

Before the introduction of the Macpherson Constitution, there was consultation with the people at four levels. These were:

- (1) The Native Authority Meeting—consisting of the members of the Native Authority;

- (2) The Provincial Conference—consisting of representatives of the Native Authorities in the Province, chosen on a population basis;
- (3) The Regional Conference—consisting of representatives chosen from the Provincial Conferences within the Region, on the basis of population; and
- (4) The General Conference—consisting of representatives chosen by the Regional Conferences and by the Lagos/Colony Conference, in accordance with the relative population of each Region and the Lagos/Colony area.

In order to assist the people in their deliberations, a number of questions were drawn up by the Government, to which specific answers were invited. In addition, a Drafting Committee was interposed between the Regional Conferences and the General Conference. The duty of this Committee was to prepare draft proposals for the General Conference, based on the recommendations of the Regional Conferences and the Lagos/Colony Conference.

The resulting constitution adopted the existing administrative division of the country, with three important differences. Firstly, each group of Provinces was renamed Region with its own legislature. Secondly, the Colony of Lagos became part of the Western Region. Thirdly, the title of the Chief Commissioner was changed to Lieutenant-Governor.

The Northern and Western Regions had each a bi-cameral legislature: a House of Chiefs and a House of Assembly. The two Houses had equal powers on all Bills or measures, save that 'A Bill shall not be introduced in the House of Chiefs if the Lieutenant-Governor, acting in his discretion, certifies in writing that it is a money Bill.' The Eastern Region had only a House of Assembly.

Each of these three legislatures had power to make laws for the Region under its authority in respect of certain matters specifically mentioned in the Third Schedule to the constitution, as well as in respect of other matters delegated to it by the Central Legislature. All subjects not mentioned in the Third Schedule were vested in the country's Central Legislature whose constitutional nomenclature was the House of Representatives. That is to say, subject to

the provisions of the constitution, the House of Representatives had power to make laws for the peace, order, and good government of Nigeria.

It must be mentioned, however, that all Bills and measures passed or rejected by the House of Representatives or a Regional Legislature were subject to the Governor's or Lieutenant-Governor's assent or reserved power, and to Her Majesty's power of disallowance. In other words, the Governor or Lieutenant-Governor could, in his discretion, give or refuse to give assent to a Bill already passed; or enact and give effect to a Bill or measure already rejected by the House of Representatives or a Regional Legislature, as the case might be. Even after the Governor or Lieutenant-Governor had assented to a Bill, it was still subject to Her Majesty's power of disallowance. In addition, before a Lieutenant-Governor could assent to a Bill, he must get a clearance from the Governor that the Bill was not *ultra vires* and that it was not inconsistent either with the general interests of Nigeria or with the country's treaty obligations.

The composition of each of the Regional and Central Legislatures was as follows:

NORTHERN REGION

House of Chiefs

- (1) The Lieutenant-Governor, who was President of the House and had original and casting votes;
- (2) 3 official members, appointed by the Lieutenant-Governor in his discretion;
- (3) 15 First-Class Chiefs—who were members *virtute officii*;
- (4) 37 Chiefs, other than First-Class Chiefs, selected by the Native Authorities; and
- (5) An adviser on Moslem law.

House of Assembly

- (1) The President, with original and casting votes, appointed by the Lieutenant-Governor, acting in his discretion, from outside the members of the House;

- (2) 4 Official Members appointed by the Lieutenant-Governor, in his discretion;
- (3) 90 elected members; and
- (4) Not more than 10 special members, appointed by the Lieutenant-Governor to represent interests or communities which, in his opinion, were not otherwise adequately represented in the House.

WESTERN REGION

House of Chiefs

- (1) The Lieutenant-Governor who was President with original and casting votes;
- (2) 3 official members, appointed by the Lieutenant-Governor in his discretion;
- (3) 7 Head Chiefs, who were members *virtute officii*; and
- (4) 43 Chiefs other than Head Chiefs, elected by Native Authorities.

House of Assembly

- (1) The President, with original and casting votes, and appointed in the same manner as his Northern counterpart;
- (2) 4 official members, appointed by the Lieutenant-Governor, in his discretion;
- (3) 80 elected members; and
- (4) Not more than 3 special members appointed by the Lieutenant-Governor in the same manner and for the same purposes as in the North.

EASTERN REGION

- (1) The Lieutenant-Governor, who was President with original and casting votes;
- (2) 5 official members; appointed by the Lieutenant-Governor, in his discretion;
- (3) 80 elected members; and
- (4) Not more than 3 special members, appointed by the Lieutenant-Governor in the same manner and for the same purposes as in the North.

HOUSE OF REPRESENTATIVES

- (1) The President, who was appointed by the Governor from outside the membership of the House. (At first it was the Governor himself who presided over the business of the House. But later, owing to criticisms from the floor of the House and by members of the public generally, he appointed Mr. Fellowes, then Assistant Clerk of the House of Commons as President). The President had original and casting votes;
- (2) 6 *ex officio* members comprising the Chief Secretary to the Government of Nigeria, the 3 Lieutenant-Governors, the Attorney-General, and the Financial Secretary to the Government of Nigeria;
- (3) 68 members elected by the Joint Council of the Northern House of Chiefs and Northern House of Assembly, of whom 14 were Chiefs;
- (4) 34 members elected by the Joint Council of the Western House of Chiefs and Western House of Assembly; of whom 3 were Chiefs;
- (5) 34 members elected by the Eastern House of Assembly; and
- (6) 6 special members, appointed by the Governor in his discretion, to represent interests and communities which, in his opinion, were not adequately represented in the House. In the event, those appointed were expatriates who represented banking, shipping, mining, industrial, and commercial interests.

As in the case of the House of Representatives, election of members to the Regional House of Assembly was indirect, and was conducted in three pyramidal tiers. At the base of the pyramid, the taxpayers to whom suffrage was confined met in their different quarters or wards on an appointed day. There at the meeting, presided over by the traditional head of the quarter or ward, the candidate or candidates were nominated. If more than one candidate was nominated, the taxpayers, there and then, openly and without any secrecy, grouped themselves behind the candidate of their choice.

The number of taxpayers standing behind each candidate was then determined, and the candidate with a majority of taxpayers was declared duly elected. During the count, any person who was unable to produce his current tax receipt was disqualified from voting at the election.

Any person elected at this meeting became a member of the Intermediate Electoral College which was constituted for a Local or District Council Area. Those elected at this College would become members of the Final Electoral College for the Division. It was from this last College that the candidates for every Division in the Regional House of Assembly were elected. In the case of the North, the Final College was at the Provincial level. Voting at the Intermediate and Final Colleges was by secret ballot.

The Executive Authority of a Region was vested in the Executive Council which comprised, in the case of:

THE NORTH

- (1) The Lieutenant-Governor—President of the Council;
- (2) 3 *ex officio* members, namely: the Civil Secretary, the Legal Secretary and the Financial Secretary;
- (3) 2 other officials appointed by the Lieutenant Governor in his discretion;
- (4) 3 Regional Ministers elected by the House of Chiefs from among its members; and
- (5) 6 Regional Ministers elected by the House of Assembly from among its members.

THE WEST

- (1) The Lieutenant-Governor—President of the Council;
- (2) 3 *ex officio* members, as in the North;
- (3) 2 other officials, as in the North;
- (4) 2 Regional Ministers elected by the House of Chiefs from among its Members; and
- (5) 7 Regional Ministers elected by the House of Assembly from among its members.

THE EAST

- (1) The Lieutenant-Governor—President of the Council;

- (2) 3 *ex officio* members, as in the North;
- (3) 2 other officials, as in the North; and
- (4) 9 Regional Ministers elected by the House of Assembly from among its members.

The power to propose the name of any person for election as a Regional Minister was vested in the Lieutenant-Governor. If his proposal was accepted, he then proceeded to appoint such a person as a Regional Minister. During the election, public officers who were members of the Legislative House concerned were disqualified from candidature, and precluded from voting. The President of the House had neither original nor casting votes at such an election.

The executive authority of Nigeria was vested in the Council of Ministers, the composition of which was as follows:

- (1) The Governor who was President;
- (2) 6 *ex officio* members of the House of Representatives;
- (3) 4 Ministers elected by the Joint Council of the Northern Houses of Chiefs and Assembly, from among the members of the House of Representatives representing the Northern Region, 1 of whom had to be a Chief;
- (4) 4 Ministers elected by the Joint Council of the Western Houses of Chiefs and Assembly, in and of exactly the same manner and composition as in the North; and
- (5) 4 Ministers elected by the Eastern House of Assembly from among the members of the House of Representatives representing the Eastern Region.

As in the case of the Regions, the power to propose any person for election as Minister was vested in the Governor. If the proposal was accepted, then the person elected would be appointed by the Governor as a Minister.

It must be pointed out, at this juncture, that if the person proposed by either the Governor or the Lieutenant-Governor was rejected by the body responsible for electing him, then the Governor or the Lieutenant-Governor would have to propose another person.

Again, by virtue of Instructions passed under the Royal Sign Manual and the Signet, the Council of Ministers and the Regional Executive Council were only advisory to the Governor and Lieu-

tenant-Governor respectively. And neither the Governor nor the Lieutenant-Governor was obliged to accept the advice of the Council of Ministers or the Executive Council, if he 'considers it expedient in the interests of public faith, public order or good government that he should not act in accordance with such advice'.

In spite of the Governor's and Lieutenant-Governor's tremendous powers thereunder, the Macpherson Constitution forms the watershed between British rule and indigenous administration in Nigeria.

We have noted the Governor's and Lieutenant-Governor's veto and reserved powers as well as Her Majesty's power of disallowance, in relation to Bills and other legislative measures. We have also noted that the nomination of candidates for election as Central or Regional Ministers was the responsibility of the Governor or Lieutenant-Governor, and that the Council of Ministers or the Executive Council was merely advisory to the latter. In practice, however, these provisions of the constitution were virtually inoperative. Indeed, one of the major contributory causes of the premature demise of the Macpherson Constitution in 1954, was the determined attempt on the part of the Governor and his colleagues, to enforce these provisions.

From 1949 to 1950 when proposals for the Macpherson Constitution were considered and settled, there were no political parties with regional, let alone country-wide, following and influence, in Nigeria. The only two political parties in the country confined their activities and membership chiefly to Lagos; and had, at the material time, sunk into a state of irretrievable decay. Consequently, the provisions of the constitution relating to Ministers had been framed in the firm belief, in British official circles, that a party system would not emerge in Nigeria until long after the introduction of the constitution. But Macpherson and his colleagues had miscalculated.

Shortly before the commencement of the series of elections under the new constitution, two virile political parties, with extensive region-wide—one of them with some country-wide—following and influence, had emerged. Each was determined to win the forthcoming elections in the Region or Regions of its base or where it could muster enough support, in order to form the new administration there. Attention was concentrated mainly in the Regions,

first because they provided the ladder to the Centre, and secondly because it was there alone, as the constitution stood, that a party system could be made to work. After the elections, but before candidates were proposed for election as ministers, a third party of strong regional standing emerged.

The immediate effect of this sudden and unexpected emergence of a party system was twofold. In the first place, nearly all those 'good' men in the South who had been so much beloved by British officials, and on whom the latter had banked for co-operation in working the new constitution, had been defeated at the elections. The 'good' men of the North and the handful of them in the South, who had won the elections on their own individual merits, were impelled by sheer force of public opinion to become partisan politicians by teaming up openly with one or other of the new political parties. As a result, the Governor and Lieutenant-Governor were completely deprived of the services and support of their erstwhile faithful collaborators. In the second place, before they could attune their minds and adjust themselves to the novel situation, the Governor and the Lieutenant-Governors had been made, by irresistible pressure, to substitute the advice of political leaders for their own discretion, in the exercise of certain powers vested in them by the letters of the constitution. Consequently, they were obliged to nominate, as candidates for ministerial posts, names submitted to them by party leaders. They were also obliged to act in accordance with the advice of party leaders in the distribution of portfolios.

They simply had no choice in the matter. The only alternative open to them was to risk the humiliation and hostility of their nominees being rejected, in a declamatory manner, as was once the case in the Western Region. In that case, the nominated candidates not only criticized the Governor and Lieutenant-Governor for their reckless assault on the spirit of the constitution, but also proceeded along with their colleagues to vote against themselves.

Furthermore, the Regional Executive Council refused to play the role of advisers. They made it clear that they had been elected by their people to govern; and carried the day. Also, except on one or two occasions in the Eastern Region—that is, during a political crisis there—public opinion was mobilized to make the Governor

and Lieutenant-Governors refrain from employing their veto and reserved powers. It must be pointed out that in addition to the force of public opinion, there was a good deal of in-fighting, behind the scenes, to ensure that the Governor or Lieutenant-Governor confined himself, in certain matters, to playing the role of a constitutional head. In other words, by intensive and sustained political actions, the role of the Governor or Lieutenant-Governor *vis-à-vis* his Ministers was reversed for all practical purposes: it was the former who was made to advise the latter, instead of the other way round as laid down in the constitution.

It must be emphasized that all these had not been achieved without a good deal of friction and, sometimes, bad blood. But while Macpherson and his British colleagues seemed to think that an egregious mistake had been made by introducing a constitution, some of whose provisions turned out to be so easily amenable to political manoeuvres, the Nigerian nationalists were thankful and joyful. The new constitution had afforded them a unique opportunity, and they were determined to exploit every loophole in it to wrest more and more powers from the British. No previous constitution had placed Nigerian nationalists in such an offensive and invulnerable vantage position. And it is true to say that Macpherson and his colleagues soon became utterly helpless and discomfited, in the face of the disconcerting assaults made on British rule in Nigeria through the powerful instrumentality of their own constitutional creation.

All these, by themselves, are quite enough to support the assertion that the Macpherson Constitution, and hence the year 1951, marks a clear, bold and indelible line of demarcation between British regime in Nigeria and Nigerian Home Rule. But there are other epoch-making features and events inseparable from the constitution, which are worth mentioning.

Firstly, with the introduction of the Macpherson Constitution, Nigeria took the first definite step on the road to federalism. In a strict scientific sense, the constitution itself can only be described as quasi-federal: residual powers were vested in the Central legislature; no Regional law could become operative without the prior approval of the Governor; and the House of Representatives as well

as the Council of Ministers depended on the whims and caprices of the Regional legislatures for its Nigerian members. This dependence, in the case of the Council of Ministers, was so absolute that the political parties in the Regions could render it completely impotent.

In actual fact, a situation arose in 1953 which severely shook the Council of Ministers and threatened its existence. The Ministers from the Western Region, in obedience to a party directive, had resigned their seats in the Council, on the issue of a motion for self-government for Nigeria in 1956. With the absence of all the representatives of one of the three Regions from the Council, the legality of what remained of it became the subject of keen discussions both in Nigeria and the United Kingdom. In order to remedy the situation, the Governor decided to fill the vacancies. He and the remaining Nigerian Ministers did not like to have further association in the Council with two of the resigned Western Ministers. On the other hand, the party in power in the Western Region was adamant that the Region was not going to be represented by other than those four former Ministers who had surrendered their portfolios in the fight for Nigerian independence, and in unquestioning obedience to their party. Nothing daunted, the Governor nominated his four candidates; but they were rejected by the unanimous vote—taken by secret ballot—of the Joint Council. And so the deadlock remained. As time went on, however, he relented and decided to bow to the wishes of the party in power in the Western Region. But he was promptly confronted with the threat of resignation by the four Ministers from the Northern Region! Anyway, wiser counsels eventually prevailed, and the four former Ministers from the Western Region were nominated by the Governor and were duly re-elected to the Council of Ministers. This incident demonstrates beyond any equivocation the tightness and precariousness of Macpherson's brand of quasi-federal constitution. It was obvious that some of its provisions had not taken account of certain kinds of human foible, temperament, and behaviour. And as we have said before, it had not envisaged the emergence of a disciplined party system. But even with all these grave defects, it remains true to say that the credit (or discredit, if you like), for sowing the seeds of

federalism in Nigerian administration belongs to the Macpherson Constitution.

Secondly, the 'indirect rule' system—a source of much irritation to Nigerian nationalists—died a natural death under the Macpherson Constitution. After Nigerians had assumed the reins of power, albeit ingeniously, it ceased to be practical politics for Traditional Rulers to look upon the Residents or Lieutenant-Governors as their principals in the business of public administration. In spite of themselves, they soon realized that, thenceforth, they had to depend on the goodwill of their people alone for a long, peaceful and successful reign. The vestiges of the Sole Native Authority system are still to be found in some parts of the Northern Region; but in spite of this, all Native Authorities (now known in the South as Local Governments) are now responsible to the people, through Nigerian Ministers.

Thirdly, partnership, in the true sense of the word, between the British and Nigerians in the administration of Nigeria, began only with the introduction of the Macpherson Constitution. British protestation of the existence of such a state of affairs, before 1952, was brazen hypocrisy, and false in the extreme. One might as well regard the office cleaner in a big business concern as a partner in the venture, simply because the undertaking had been organized to exploit natural resources exclusively belonging to the cleaner.

Fourthly, apart from the fact that Nigerian public men succeeded in playing the leading role in the management of their own affairs, the Nigerian tax-paying population, including women in some parts, for the first time had the welcome chance of choosing, though indirectly, their indigenous rulers and law-makers. For 50 years previously Nigerians were either passive onlookers, or negative critics, in the affairs of their land.

Fifthly, it was under the Macpherson Constitution that Nigerian leaders were afforded the much-needed and long-awaited opportunity for training in the art of modern government. For most Nigerian nationalists, their acquaintance with any form of public administration at all began with this constitution. Not being Chiefs, and having been daubed 'agitators' and 'political adventurers', they had up to then been largely excluded from taking part in public

affairs—even in the affairs of the Native Authorities. In other words, the policy of preparing Nigerians for that day when Britain would 'transfer to them the administration of all the governments' was only allowed to unfold under the Macpherson Constitution.

Sixthly, the Macpherson Constitution was the involuntary precursor, through an unbroken and inexorable series of rapid constitution-making, of the Independence Constitution of 1960.

We have hinted before that the Macpherson Constitution came to a premature end in 1954. The author had hoped that it would last for many years. The generality of Nigerians themselves had expected that it should serve Nigeria for at least five years.

But this was not to be. The undue tightness of the constitution (which we have previously noted) together with some other circumstances, including the issue of self-government for Nigeria in 1956, brought about the breakdown of the constitution on 31 March 1953. Thereafter a chain of constitutional conferences began in 1953/54 and ended in 1957/58.

The 1953/54 Conference⁴ introduced some radical constitutional changes:

1. A number of specified subjects were vested in the Federal Parliament, whilst the residuals were vested in the Regional legislature.

2. The House of Representatives was dissolved and reconstituted. Its Members from the East and West were directly elected, whilst those from the North were indirectly elected through provincial electoral colleges. The franchise in 1954 varied among the Regions. It was based on a tax-paying qualification in the West and North, which included females in certain parts of the West; whilst it was based on universal adult suffrage in the East and Lagos. Simultaneous membership of the Federal and Regional legislatures was abolished. (NOTE: Since 1956, the basis of franchise in the East, West, and Lagos has been universal adult suffrage. The North moved slightly further in 1957, to adult male suffrage, but this is retained to this day.)

3. Each Region had three Ministers in the Council of Ministers. But these Ministers were nominated, for appointment by the

Governor, by the leader of the political party with a majority of members from that Region in the House of Representatives. There was also provision that if a political party had an overall majority of members in the House of Representatives, it would be entitled to nominate the Ministers from each Region.

4. The Government of each Region was headed by a Premier who was empowered to assemble, and apportion portfolios among, his team of Ministers.

5. The House of Representatives and the Council of Ministers no longer had official members as before, but continued to have three *ex officio* members as follows:

The Chief Secretary.

The Financial Secretary.

The Attorney-General.

The Governor, who now became Governor-General, continued to preside over the Council of Ministers.

6. With the exception of the Northern Region, the seats of all *ex officio* and official members in the Regional legislatures and Executive Councils were abolished. The Western Legislature was free to elect its own Presidents (styled Speaker in the Western House of Assembly). The Governor (formerly Lieutenant-Governor) himself presided over the meetings of the Northern House of Chiefs; but the President of the Northern House of Assembly was appointed by the Governor acting in his discretion. In more or less the same fashion, the Speaker of the Eastern House of Assembly was appointed by the Governor acting in his discretion after consultation with the Leaders of the majority and Opposition parties.

7. The Governor of a Region (formerly Lieutenant-Governor) continued to preside over its Executive Council as before.

8. Under the Macpherson Constitution the Minister administered the Department (*not* Ministry) under his charge in association with the Official Head of the Department. What this meant in practice was that the Minister had no decisive say on any issue relating to his Department. If the Minister failed to carry the Official Head of the Department with him on any subject, then the matter would

have to fall into abeyance. This was one of the defects of the Macpherson Constitution. Accordingly the new constitution conferred upon Ministers both at the Federal and Regional levels general direction and control of, and individual responsibility for, the Departments within their portfolios. Departments now became Ministries, and Official Heads of Departments became Permanent Secretaries of the Ministries.

9. Each Region had complete control of the personnel of the various sectors of its public service. But the appointment, promotion and discipline of Judges and Civil Servants remained vested in the Governor advised by a Public Service Commission.

10. Lagos was severed from the Western Region and declared a Federal Territory subject only to the authority of the Federal Government.

11. With regard to the demand for self-government in 1956, Her Majesty's Government decided that it was not prepared to fix a definite date for self-government for Nigeria as a whole. However, it accepted a declaration of policy that it was prepared to grant, in 1956, '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 the federation impossible'.⁵

12. The 1953/54 Conference agreed that another Conference should be convened not later than 31 August 1956, for the purpose of reviewing the new constitution, and examining the question of self-government. The last four words were later interpreted to mean the demand for a target date for self-government for the whole of Nigeria, as well as the detailed provisions for self-government by any Region which desired it. Her Majesty's Government felt that it needed the long adjournment for three years to enable it to judge the capability of Nigerian leaders for additional political responsibility.

For reasons with which we do not need to concern ourselves here, the Conference did not reconvene until May 1957. At this Conference, both the East and the West were granted Regional Self-Government with effect from August 1957. It was at the resumed Conference of 1958 that Regional Self-Government was granted to the North with effect from March 1959. As a result of agreement reached at this Conference a Nigerian Federal Head of Government, designated Prime Minister to distinguish him from Regional Premiers, was appointed in 1957.

A comprehensive review of the 1954 constitution which was initiated in 1957 was concluded at the resumed meetings of the Conference in 1958. It was at the close of this Conference that the famous declaration was made that 'if a resolution is passed by the new Federal Parliament early in 1960 asking for independence, Her Majesty's Government would agree to that request and would introduce a Bill in Parliament to enable Nigeria to become a fully independent country on the 1st October, 1960'.⁶

It must be pointed out that the detailed agreements reached at the 1957/58 Conference were embodied in Nigeria's Independence Constitution of 1960. The legal drafting had taken about two years to accomplish.

It will be seen that it was from the ruins and ashes of the Macpherson Constitution that Nigeria's swift and far-reaching political advances, beginning with a wide measure of Home Rule in 1954 and culminating in independence in 1960, had, like the mythical phoenix, arisen.

¹ Report on the Amalgamation of Northern and Southern Nigeria and Administration, 1912-1919, paragraph 187.

² The Nigeria (Legislative Council) Order in Council, 1946.

³ Proposals for the Revision of the Constitution of Nigeria CMD 6599 paragraph 8.

⁴ Report by the Conference on the Nigerian Constitution, London, August 1953. CMD 8934.

⁵ Ibid paragraph 28.

⁶ Report by the Resumed Nigeria Constitutional Conference, London, October 1958, paragraph 84.

Why They Came

MANY REASONS have been advanced by apologists of imperialism to justify British rule in Nigeria.

Said Sir Hugh Clifford, a former Governor of Nigeria:

In the case of primitive peoples, unadulterated native rule is not popular or desired by the bulk of the natives. It means the oppression of the weak by the strong, the tyranny of might, the abnegation of law, the performance of various bloody rites, and perennial inter-tribal strife—in a word, all the things which are most abhorrent to the principles of democracy.¹

Sir Alan Burns, author of *History of Nigeria*, and a former high-ranking British Colonial official in Nigeria, is equally supercilious in his attitude towards 'native races' as Clifford termed them, but more specific with reference to Nigeria:

National acquisitiveness and commercial interests no doubt played a part, but in the case of Nigeria it may safely be said that the British entered on the great trust with reluctance and considerable hesitation, and that philanthropy was not the least of the influences that led us to take up the burden.²

The above quotations have put the reasons in a nutshell. But they can be set out in greater detail.

The British, so say the apologists, had come to Nigeria in order to suppress slavery, slave-raids, and the slave-trade; to stamp out human sacrifices and cannibalism; to put an end to inter-tribal and internecine wars with which the land and its peoples had been incessantly plagued; and to establish good and orderly government in place of 'the bloody tyranny of the King of Benin, the malignant influence of the Aros, and the oppression of the slave-raiding Emirs'. Slave-trading between Nigeria and foreign countries as well as slavery in British overseas possessions was abolished. To these ends, enormous sums of money were spent by the British, 'with no possible selfish motive'.

The conquest of Lagos, which we have previously noted, and the

subsequent forcible cession of the island to the British, were seen by the apologists only as a means, no more and no less, to the destruction of one of the chief strongholds of slave-traders in Nigeria.

As a direct result of the advent of *Pax Britannica* to Nigeria, there was security of person and property. Certain pleasant and unprecedented consequences followed. There was freedom of movement, of occupation, and of trade. The rights to life and personal liberty were guaranteed: there was freedom from slave-raids and from any kind of molestation—all of which used to be the wicked pastimes of the native rulers. The position and tenure of offices of Chiefs were safeguarded and enhanced. In the places of the perquisites and tributes which the Chiefs used to exact with violence if need be, and in place of their incomes from all manner of unhuman traffic, the Chiefs were paid regular and reasonable monthly stipends.

Material prosperity, such as was never known before and could never have been achieved or realized under the chaotic conditions which had existed previously, followed in the wake of British administration.

But the long-term objective of the British, continue the apologists, far transcended the immediate attainment of good government, orderly progress, and increasing prosperity for the people. The long-term policy of the British in Nigeria was to lead the country, 'by education, training, and example', to complete self-government as rapidly as possible.

In other words, altruism, philanthropy, and humanitarianism were the dominant (if not the only) motives for British rule in Nigeria.

An examination of the facts set out in Chapters 1 and 2 showing the motives and manner of their coming to Nigeria as well as the *raison d'être* and style of their rule, does not bear out the claims made for the British by the apologists.

In this connection, British relations with Nigeria from the time of first contact to the end of 1951 may be divided roughly into four periods as follows:

- (1) the period of the slave trade—1553–1808
- (2) the period of pioneering legitimate trade—1808–1900
- (3) the period of colonization—1861–1899
- (4) the period of British rule—1900–1951.

As we have seen in the previous chapters, the first period was one of extremely inhuman and heartless brutalization of Nigerians by British adventurers. In exchange for slaves, which were the main merchandise and for ivory and pepper, they gave our people arms, spirits, and some other articles of very inferior quality. With the importation of unusually lethal weapons and highly intoxicating spirits, inter-tribal wars became more savage and ferocious, and much more extensive in carnage. Many of these wars were now encouraged and waged, not because of inter-tribal disputes, but for the sole purpose of capturing slaves for sale. In addition, organized slave-raids continued with unparalleled ruthlessness. Throughout this period, either in the capture of slaves, in their transportation, or in their treatment both *en route* to and at their destinations, there was no mitigating feature of any kind. There was only one motive behind the activities of the English (later British) nationals: the acquisition of personal wealth by any means, and the consequent enrichment of their motherland.

We have already (in Chapter 1) given a fairly full account of the enormous expenses incurred by Britain in her efforts to stamp out the slave-trade with Nigeria, and to abolish slavery in her own colonies. In this connection, it is apposite to recall the activities of those British nationals who, out of sheer humanity, fought long and hard for the abolition of the slave-trade and slavery. Specifically, we remember, with gratitude, Granville Sharp, who championed the cause of Somersett, the absconding Negro slave. We also remember that famous and immortal British crusader against the slave-trade and slavery, William Wilberforce. Assisted by a handful of others, he fought relentlessly for 20 years (from 1787 to 1807) before his noble objective was achieved.

When all this has been said and admitted, it must be pointed out with emphasis that at the time the House of Commons saw its way clear in 1807 to supporting Wilberforce's resolution on the subject, slavery had ceased to be an economic proposition to the great majority of British capitalists.

By the turn of the eighteenth century, British owners of tobacco and sugar cane plantations were becoming seriously doubtful of the profitability of slavery. Furthermore, by 1807, the Industrial Revo-

lution under the impetus of the inventive genius which gave it birth had gathered great, fascinating, and irresistible momentum. Three things were now badly needed by the British: (1) raw materials for their ever-growing factories; (2) the widest possible market for the disposal of the products of the factories; and (3) palm oil for lubricating the factory machines as well as for lighting and the manufacture of soap.

The British were in no doubt, even long before 1808—as was evidenced by their tenacity in the discovery of the Niger—that Nigeria was a rich source of raw materials and a potentially big market. Nigerian palm oil was already in use as a lubricant as well as for lighting and the manufacture of soap.

A new technique in the relationship between Britain and Nigeria, more humane and more civilized, albeit more subtle than that employed for the procurement of slaves, was therefore urgently called for.

The second period, which was one of pioneering legitimate trade, saw the unfolding of this new technique. Nigerians were no longer treated as slaves. But they were still looked upon as inferior human beings, and were subjected to shameless and unconscionable exploitation. The British reserved to themselves the right to dictate the prices of all the goods purchased and sold by them; and were in a unique position *vis-à-vis* Nigerians which enabled them to enforce their dictates. In some parts of Nigeria, it was common practice to postpone discussions about prices until after the Nigerian dealer had been made thoroughly drunk on rum. Then all that the Nigerian received for his commodities, whatever their quantity, was an attire consisting of a top hat and a vest, together with a new name like 'Fine Face' or 'Sea-Never-Dry'!

In addition to the inevitable spirits, merchandise like glass beads, coral, copper bracelets, yarn, linen and woollen cloth were given in exchange for ivory, pepper, palm oil and palm kernels. Rubber and mahogany were later additions. It must be noted that, during this period, arms and ammunition were no longer given by the British to Nigerians in exchange for goods!

Here again the sole and overriding motive of the British merchant adventurer was naked economic self-interest, and the consequent enrichment of his motherland.

Much has been made, by the apologists, of the intrepid exploits of Mungo Park, the Landers and others, in their efforts to discover the Niger. As can be clearly seen in the previous chapters, there is no doubt that for Mungo Park and others the driving forces were the noble spirit of adventure and the overpowering desire to contribute to human knowledge. But the same cannot be said for the gentlemen, back home in Britain, who had sponsored and financed the ventures of these brave men and martyrs to human knowledge. They had been impelled by motives of unabashed economic exploitation and the hope of eventual big financial gains both for themselves and for their motherland.

The third period was characterized by an unbridled display of British national aggrandizement. As an economic, political, and military power, Britain was in the ascendant in the world. She had completely recovered from the humiliation which she had suffered about a century earlier in America, and had established a new and satisfying economic relationship with the latter. She had, since the loss of America, conquered or acquired new territories like Canada, Australia, and New Zealand, all of which remained loyal to the mother country. She had subjugated India and a few other Asian territories. In a predatory alliance with France and America separately, she had compelled China and Japan by force of arms to do business—sometimes bad business, but lucrative for the British, as in the case of the opium trade with China—on her terms. The threats which the French revolution and its aftermath constituted had been dispelled. Napoleon Bonaparte had long since been defeated at Waterloo. And the long era of peace under Queen Victoria was in full swing.

On land and sea, Britain was supreme. In the spheres of industry and commerce, she was comfortably and assuredly first among the countries of Europe. But if she was to retain her position, she had need of vigilance and constant military preparedness. Her sources of raw materials and her other economic life-lines, wherever they might be, must be protected against serious threat, violation, or conquest. So must her overseas markets. Her rivals must not only be closely watched but must be prevented from occupying any

territories in any part of the world which might give any of them greater economic or military advantage.

In the pursuit of these national objectives, neither altruism nor philanthropy was allowed to enter into reckoning. The scramble for Africa was not allowed to brook or harbour any such fine feelings. Indeed, in the conduct of the treaty-making offensives which were launched in different parts of Nigeria during the scramble, no method was considered too foul or inhuman to employ for the accomplishment of the imperial objectives. All along the line, it was the end that justified the means.

If British merchants trading in Nigeria were to make maximum profits, trade in Nigeria must flourish, and as much economy in expenditure as possible must be made. It was in their interests more than in any other's that these should be so. But trade could only flourish under conditions of peace and orderliness such as could be provided by good government and fairly effective administration. At the same time, the utmost economy in expenditure could only be effected if local materials and manpower were available where necessary, and when required. It was, therefore, incumbent on the British, in their own interests, to provide the requisite government and administration for Nigeria. The fact that Nigerians were benefited in the process was merely incidental, and not the primary intention of the British.

If the Christian missionaries had not started the work of evangelization and education during the second period, the British merchants or the British Colonial Government in Nigeria would have had to undertake the direct education of Nigerians. This would have had to be done not because of their altruistic wish for the educational advancement of Nigerians, but because some literate Nigerians were indispensable to the satisfaction of the naked self-interest of the British merchants.

The Christian missionaries, however, supplied the urgent needs of the merchants and the colonial officials in this regard. And it became unnecessary for the latter classes of Britons to concern themselves with the education of Nigerians. In this connection, it must be stressed that the Christian missionaries had been the innocent tools of an unchristian and evil politico-economic system. For in the

North where Christian missionaries were forbidden access, literacy in the Western sense was much longer delayed, with the result that practically all the subordinate places reserved for literate Nigerians in commerce and government during this period were filled by those of Southern origin. The position remained largely the same during the fourth period.

There are certain factors, however, which facilitate the growth of commerce, and promote the efficient administration of a territory. Some of these factors are roads, bridges, railways, pipe-borne water supply, posts and telegraphs, and electricity. In Nigeria in the period under discussion, these factors, because of their downright unprofitability or doubtful profitability, could not be left to private enterprise or voluntary agencies. It is significant that the British Colonial Government in Nigeria lost no time in providing them. Lagos was electrically lit in 1898, and was supplied with pipe-borne water in 1897. The construction of railways and telegraph lines from Lagos to Ibadan had begun in 1896 and been concluded in 1900. The construction of the bridges linking Lagos with Iddo and the latter with Ebute-Metta had begun and ended in 1897 and 1900 respectively. By the end of 1899, a number of roads had been constructed in different parts of the South, chiefly by forced labour, and sometimes through voluntary communal efforts. For some of these purposes the first of Nigeria's external loans, which stood at approximately £8.5m. in 1916, had been raised by 1905.

The British did not fare better during the fourth period. Indeed it can be said with justification that the utter hollowness and hypocrisy of their protestations became more eloquent, more tangible, and more irritating at this time than at any other.

Lest we forget, it had been claimed for or by the British that they had come to Nigeria in order to lead the country and its people, 'by education, training and example', to complete self-government as rapidly as possible.

If this was indeed their aim, the education and health of the people should have been the paramount concern of the British Colonial Government in Nigeria. We have used 'education' here to include the acquisition by Nigerians of experience and skill in public administration.

We have said earlier on, in this and the previous chapters, that the education and health of Nigerians had been left during the third period to Christian missionaries. We should add, in fairness, that towards the close of this period in 1899 a Government School for Islamic pupils was opened in Lagos; that during the period under discussion the Government owned 33 out of 8,154 Primary Schools, 9 out of 136 Secondary Schools, 13 out of 97 Teacher Training Institutions, 3,781 out of 6,945 Hospital beds, 71 out of 763 Dispensaries; and that most of the hospitals owned and run by the Government were, until the early forties, known as 'European Hospitals' and reserved exclusively for white patients.

All the opportunities which the British had, of affording a chance to qualified Nigerians to acquire experience and skill in public administration at all levels, were ignored, and were only reluctantly seized after the loudest and most acrimonious outcry had been unleashed by Nigerian nationalists.

Some examples will be mentioned. The first Nigerian lawyer was called to the Bar in England in 1893; so was the first civil engineer who held a B.Sc. and A.I.C.E. of British Higher Institutions of Learning. The first doctor who held the degrees of Edinburgh University and was enrolled as a member of the British Medical Association returned to the country in the same year. In spite of all these, however, the first Nigerian magistrate was not appointed until 1931. The first Nigerian engineer and the first Nigerian medical officer, who held positions in Government equivalent to those of Britons with identical qualifications, appeared much later. The Legal Department in Nigeria was the exclusive preserve of white lawyers until after the outbreak of the Second World War.

In the Civil Service and in foreign-owned mercantile establishments the story is the same. Nigerians possessing the same qualifications as white men were not considered fit during this period to fill equivalent posts, with the result that, at the close of this period, only about 14% of the senior posts in the Civil Service were filled by Nigerians.

We have noted that the first Executive Council was established by Lugard in 1914. But it was during the Second World War that a Nigerian was made a member. The second Nigerian member was

appointed to the Council in 1947. The Nigerian Council and the Nigeria Legislative Council were inaugurated in 1914 and 1922 respectively. But the first time Nigerians of Northern origin sat in any Deliberative or Legislative Council was in 1947. Even then, they were there with their Southern colleagues only to participate 'in the discussion of their own affairs'.

The training of Nigerians in democratic practices only got to a half-hearted start in 1951—the very last year of this period. And at the time of their final departure from Nigeria, the British saw to it that the Northern Region was insulated against some democratic principles such as the enfranchisement of women, and the observance of some stringent but wholesome rules which are indispensable to a free and fair election. Lest we forget, it must be emphasized in this connection that more than 50% of the people of Nigeria live in Northern Nigeria.

As has been hinted above, the paucity of achievements here recorded cannot and should not be placed on the credit side of the British Colonial account. Instead, Nigerian nationalists should take full credit for them. It was their unceasing and often venomous constitutional agitation that had brought about these Lilliputian landmarks.

The conclusion, therefore, to which the facts set out in the last two chapters and the arguments considered in this chapter lead us is this: the British came to Nigeria in order wholly and solely to promote their private and national economic interests, and to enlarge their colonial spheres of influence. As for their external military activities, it is the easiest thing in the world to see how inseparably and inextricably bound these are with their economic and imperial objectives. At no time did philanthropy or humanitarianism enter into consideration.

But the apologists may rejoin, at this juncture, that granting this conclusion, the fact remains that Nigerians have benefited in no small measure from the so-called selfish activities of the British. Undoubtedly! But so did the biblical calf which was sedulously fattened for the gastronomic and festal pleasures of its owner.

¹ Sir Hugh Clifford: *A Plea for the Native Races*. (p. 13)

² Sir Alan Burns: *History of Nigeria*. (p. 294)

Paradoxical Heritage

THE HERITAGE which the British left behind, on their transfer of power to Nigerians, is paradoxical. It is a good and an evil heritage.

On their departure, the plants of public order were in the process of being choked by the weeds of insensate intolerance; the forces of progress were deliberately subordinated to the dead-weight of decadent and unsophisticated reaction; native tyranny was enthroned as the protector of human freedoms; and the country, though politically emancipated, was firmly held in leash by foreign economic interests.

Leaving their motives aside, the good that the British did in Nigeria, in material terms, is considerable and cannot be obliterated. They brought peace, order, good government, and flourishing commerce to a territory bedevilled and torn asunder by petty strifes and senseless wars. The credit belongs absolutely to them that Nigeria, as we know it today, was their exclusive and unaided creation. In other words, without British rule, there would have been no Nigeria.

On the other hand, it can be argued, with great cogency, that if the British had not come, the peoples of Nigeria, under different indigenous governments, could have made more rapid progress, materially, than they have done under British rule. They would, in any case, have been spared the excessive barbarity attendant on overseas slave-trade and slavery. However, such an exercise as this is not only bound to be purely speculative, but it is also one on which conflicting opinions can be urged with equal plausibility.

Let us, therefore, admit without qualification that the British regime gave us Nigeria and was beneficial to Nigerians. Having regard to relevance and space, we have set out in the second chapter

of this book, sometimes in detail and sometimes in outline, the highlights of the good things which Britain has done for Nigeria in all sectors of human endeavour. It is unnecessary, in the present context, to repeat them.

But let us also admit, in all honesty, that British rule was immeasurably baneful to Nigeria and Nigerians. There are four important grounds for making this assertion:

- (1) The closure of the North to Christian missionary influences.
- (2) The fossilization of the political institutions in the North, under the aegis of Indirect Rule.
- (3) The treatment of the North and the South as two distinct political and administrative units for all practical purposes, and the inflexible maintenance of disparate standards in them.
- (4) British manœuvres immediately before and in 1959 to place the control of the Federal Government in Northern hands, in order thereby, according to them, to ensure the unity and stability of the country after independence.

We will deal with these grounds in the order in which we have stated them.

Geographically, the North was not as easily penetrable to Western influence as the South. The Arab influence to which it was exposed was mainly commercial and religious and only incidentally educational. Even the type of education acquired under this influence was purely religious, not functional. The latter kind of education, however, existed in different parts of the South for some 15 years before the cession of Lagos, and for more than half-a-century before British rule was firmly established in Nigeria in 1900. This was made possible because many parts of the South were comparatively easily accessible to Christian missionaries who, at that stage, were responsible for the education of Southerners.

The result, however, is that while, at the commencement of British rule, the South could boast of a number of persons educated in the Western sense, among whom were highly qualified professionals, the North was not at all in a position to make a similar boast. This initial handicap was aggravated by the policy of the British Government forbidding Christian missionaries to operate in the

North. This policy was laid down by Lugard and was pursued, with unreasoning fervour and obstinacy, by himself and his successors in office.

The effect of the initial handicap and of Lugard's pernicious policy was frightful. In 1935, the North (population 11 millions) had 37,000 'Koran Schools' where about 200,000 pupils were 'taught to recite passages from the Koran and, in some cases, a little reading and writing of Arabic . . .'. In addition, 'there were 134 Native Administration Elementary Schools with 6,060 pupils. The number of scholars in 253 Mission Schools, mostly in pagan areas, was 12,037. The 10 Middle Schools . . . had an enrolment of 869.'

'In the Southern Provinces (population 8 millions) the number of children in all Elementary classes is 174,915. The number in all classes of Middle Schools is 13,000.'

The comparative figures for 1960, the year of Nigeria's independence, were equally unedifying. The North (population 17 millions) had 2,340 Primary Schools with 282,848 pupils in them, and 41 Secondary Schools with 6,334 pupils. In the South (population 13.6 millions) there were 13,103 Primary Schools with 2,629,760 pupils, and 331 Secondary Grammar Schools with 55,225 pupils. Lagos alone with only a population of 272,000 had 5,714 pupils in Secondary Grammar Schools as contrasted with 6,334 pupils in all Secondary Schools in the North.

At present, the position of the North in these matters has improved a little, but remains comparatively unsatisfactory. There are about 550,000 Northern children in Primary Schools and about 18,000 in Secondary Schools, as against 2.7 millions and 143,000 in the South, respectively.

The psychological effect of all this on Northern minds has been complex, baffling, and dangerous. In their dealings with their fellow-citizens from the South, they sometimes evince feelings of inferiority or superiority, all depending on particular individuals and circumstances. They regard Western education with contempt and as only a workman's indispensable tool. But they betray an inexplicable hostility and resentment towards Southerners for being too far ahead of them in Western education. Since 1947 when the voices of Northern spokesmen were first heard in the affairs of Nigeria, they

have persistently demanded, either by word or by conduct, that the South should be halted in its progress until the North is able to catch it up. On occasions, some ambitious Southern politicians have also lent support to this manifestly perverse and exceedingly harmful suggestion.

By 1830, the Fulani conquest of the North, which began around 1804, was complete. But the lofty religious ideals which inspired the Jihad had suffered serious corrosion. The Fulani Rulers, who had imposed themselves on the people after the conquest, had become more corrupt, more oppressive, more extortionate, and more tyrannical than the indigenous rulers whom they had supplanted and replaced. In particular, their slave-raids were conducted on a more inhuman and bloody scale, and were only stamped out by the armed forces of the new imperial power under Lugard.

Those of the Fulani Rulers who pledged their loyalty to the British were retained on their thrones, whilst those who did not were forcibly deposed and replaced by other amenable Fulanis.

In other words, one of the things which the advent of the British did to Nigeria was to entrench another alien rule in the North. Historically, the Moslem Fulanis had a long record of erudition and administrative competence. They had occupied the posts of professional administrators under many native rulers in Guinea, Senegal, and Hausa territories. Consequently, the British did not bother themselves about the legality of Fulani rule in the North. The immediate objective was to maintain law and order, and have an effective government. For these purposes, and having regard to all the prevailing circumstances which we have previously noted, no better administrative machines or tools than the experienced and fanatical Fulani Rulers could be conceived or contrived. Accordingly, all the Fulani Emirs were regarded as the *de facto* Rulers of the North, and subsequently recognized as the *de jure* Paramount Chiefs or Traditional Rulers of their respective territories.

Under the 'Indirect Rule' system, these Paramount Chiefs were to administer the affairs of their respective domains, subject only to the guidance of the Resident. In the words of Lugard himself, 'the attitude of the Resident is that of a watchful adviser not of an interfering ruler . . . '.

In so doing, the British gave their authoritative and unassailable backing, and a new lease of life, to a subordinate alien rule which, within a century of calculated misrule, had degenerated into an unstable and tottering despotism. The British had, it is true, removed the more revolting edges and asperities of the Fulani rule, such as slave-raids, slavery, extortions, execution for minor offences sometimes without proper trial, etc. But they had allowed the Fulani despot to have absolute sway as before, and to reign under more secure and more affluent auspices. From the very start, that is in 1900, the Sultan of Sokoto, the Shehu of Bornu, and the Emir of Kano were each placed on a fixed salary of £6,000 per annum, plus a yearly establishment allowance of £3,000 for the Sultan and of £1,500 for each of the other two. All the other Emirs in the North were also placed on fixed salaries and allowances, which, though smaller, were equally extravagant.

Having regard to the present general standard of living among the masses of the people, these salaries and allowances are, to say the least, indefensible even today. They were much more so in 1900; and if the full facts had been publicly known in the South at the time, the educated Nigerian nationalists of Southern origin would have kicked up a mighty row. The British knew this, and they therefore saw to it that the North was hermetically sealed to Southern Nigerian nationalists. Nigerian lawyers, who were the champions of the rule of law in those days, had no *locus standi* in the courts operating in the North. They therefore had no incentive to travel the long distance to an unknown and reputedly hostile territory. Other educated self-employed Southerners were discouraged from visiting the North. No Nigerian, however highly placed, was allowed to travel in a compartment higher than Third Class on the railways. In the early twenties, a barrister, by name Kolawole Doherty, who made a courageous attempt to visit the North, apart from not being permitted to travel in the train class of his choice, was beaten up severely at Zaria Railway Station, and was obliged to return to Lagos from that station in most humiliating circumstances, without reaching his destination, Kano. Although strong representations were made to the Government in Lagos, the only reply

received was: 'the matter is being investigated'. And that was the end of the matter.

As a result, the nefarious acts of the Native Authorities, many of which survive to the present day, went unchallenged either in the courts of law, or on the pages of the few but pungent journals which were then in circulation in Lagos and some of the Southern towns.

We have drawn attention to the educational effects of the exclusion of Christian missionaries from the North. This policy also has adverse political effects. As a result of it, the North was cut off, for more than 40 years, from the mainstream of progressive political thinking in the South; the Indirect Rule system in the north became a stunted and hidebound organism; the Northern Traditional Rulers were unable to benefit from the cross-fertilization of modern ideas to which their counterparts in the South were—it turned out fortunately—exposed; and the feudalist political institution which the British, at their coming, found in the North, became a palpable fossil, incapable of growth or new orientation.

The Northern leaders who made their debut on the Nigerian political scenes in 1947, and continued to play different and decisive roles until the demise of the First Republic, were all products and profound admirers of the North's fossilized political institution. There was always in them a curious mixture of arrogance and self-distrust. It was with difficulty that they were persuaded to support the introduction of a ministerial form of Government under the Macpherson Constitution. Their reason was that they did not consider themselves sufficiently educated in the Western sense to operate such a system. At the same time they bemoaned the fact that it was the British who halted the victorious march of their ancestors to the sea, and expressed the hope that what their ancestors failed to achieve by force of arms would be achieved by them by political means.

All along the line, these Northern leaders resisted either openly, or by subtlety (in which, like their ancestors, they were past masters), every progressive or radical innovation. Instead, they sought to compel or promote the adoption of their own political system in other parts of the country, through the agency of some politicians of Southern origin. Because of their control of the Federal Govern-

ment, and because of the tremendous power and influence which they wielded thereby, they were able to attract a large number of opportunist politicians of Southern origin, and almost succeeded in their designs. Even Northerners with progressive and radical ideas were brutally persecuted and suppressed. Many of them were prosecuted and imprisoned: their real and only offence being that they held contrary and divergent political views.

The strains and stresses as well as the deep suspicions and bitter resentment which the attitude of the Northern leaders generated and aroused have, in recent times, brought untold sufferings on Nigerians, and gravely harmed the country's progress on all fronts.

As a result, the majority of Southern Nigerians, together with a fair number of Northern Nigerians with progressive ideas, have been irresistibly impelled by the logic of events to take the resolute stand that the proper place for a fossil is a museum. On the other hand, the majority of educated Northern *élites* hold steadfastly to the view, inculcated in them by the British, that, given sufficient time and nurture, even dead bones can live. This profound conflict of ideas is aggravated by the fact that while the South is terribly in earnest and in a hurry about economic and social progress, the North prefers the more leisurely pace of its illustrious ancestors. It is clear, therefore, that only a mental and spiritual revolution on the part of the North can resolve this conflict amicably. We have no doubt that such a revolution will come. When, how, and under what circumstances we are unable to predict.

In spite of the amalgamation of 1914 to which history has done so much deserving homage, the Northern and Southern Regions of Nigeria were, for upwards of 47 years, treated as two separate and distinct legislative, executive and administrative entities.

From 1 January 1900 to the introduction of the Richards Constitution in 1947, the Governor alone made laws for the North, whilst his officials there supervised their execution and administration. In this connection, the only visible constitutional link between the North and the South was the person of the Governor and the fact that he had his abode in Lagos.

Personal contact and communication between the Emirs and their children and relations on the one hand, and educated South-

erners on the other, was rigidly controlled by British officials in the North. No educated Southerner, especially if he was known to have political views or to be an 'agitator', was allowed to pay a visit to or have conversation or communication with an Emir and members of his family, except in the presence of the Resident or one of his District Officers. All Civil Servants of Southern origin who worked in the North were subjected to the same disability as the 'agitators'. A visit to any part of the South by any educated Northerner was strictly forbidden, unless it took place under the close guidance and supervision of a British Administrative Officer from the North. The British Administrative Officers posted to the South were not even trusted for this purpose.

Until the late forties, it was a grave risk for a Northerner to express any view critical of British rule in Nigeria. The first Northerner to do so, to our knowledge, was the headmaster of a Native Authority school in the North. He lost his job within a week of his articulation. A long period of ruthless persecution followed, and he was obliged to leave his home for Lagos, where he was employed for sometime in the Secretariat of the Nigerian Youth Movement.

The employment of Southerners in the Civil Service of the North was on sufferance and a necessity. As soon as educated Northerners emerged, they were appointed to posts for which a Southerner with identical qualifications would not have been considered suitable. Qualifications for entry into and for promotion in the army and the police force were lower for Northerners than for Southerners.

This policy led to many anomalies. The educated Northerners believed that they were a privileged class, with an easy royal road to posts in the Civil Service reserved for Nigerians. By the same token, they tended to look down upon their fellow Civil Servants from the South as under-privileged. At the same time, the latter became resentful and unduly depressed in the face of the unwarranted discrimination to which they were unjustly subjected. They were estranged from their Northern colleagues, and a mighty barrier of distrust began to grow between the two groups. In consequence of the lowering of standards in favour of Northerners and its attendant evils, there was a general and permanent loss of executive

and administrative efficiency such as was unknown in Southern administrations.

A measure of the deep-rootedness and inflexibility of this injurious policy, which began under the British, is its relentless continuance by Northern leaders to the present day. It reached its high-water mark in the notorious Northernization policy under which, in making appointments to the Northern Civil Service, a foreigner with lesser qualifications was preferred to a Southern Nigerian. Under a tragic pretext, this discriminatory policy has now assumed new proportions in a discordant *crescendo*.

The seeds of Northern isolationism and disparate standards which were sown by the British are now bearing bumper fruits. Some influential elements in the North adamantly persist in the unwise pursuit of the second best. And there are many people in the country who cannot help wondering whether the North will ever succeed in shaking itself free from this abominable, disrupting, and divisive British heritage.

The British officials in Nigeria, reflecting the yearnings of their masters at home, did not hide their views that unity and stability in Nigeria after independence depended on the control of the country's Federal Government by Northern leaders. Their argument was briefly as follows.

The North constituted more than half of the entire country—both in population and size. It is conservative in outlook, and its people, though less educated in the Western sense than Southerners, are more temperate and moderate in their political views and activities. Because of the well-known suspicion on the part of Northerners towards Southerners, the former would certainly not feel happy under the leadership of the latter. Furthermore, because of long-standing bitter political rivalry, an Eastern leadership was not likely to be acceptable to Westerners, and vice versa. On the other hand, because of their non-participation in such rivalry in the past, a Northern leadership was sure to be acceptable to the two Southern opposing *blocs*.

The British then proceeded, with their traditional skill, to back their views with actions. They used their decisive position in the country's pre-independence Constitutional Conference to ensure

that the political system in the North was as little disturbed as possible by the provisions of the constitution. The North had its own Penal Code as distinct from Nigeria's Criminal Code; and the fundamental human rights entrenched in the constitution were amply qualified in order to preserve some outmoded and repugnant Northern customs and usages. Christian as well as pagan women in the North were denied suffrage, simply because the feudal caste in the Region did not favour the enfranchisement of women, on pretended religious grounds. We say 'pretended' because there is nothing in the teachings and practice of Islam to support this stand.

The British were aware of the monstrosity and abnormality of Nigeria's federal structure. They knew that whichever political party ruled the North as an undivided unit was sure to have an electoral advantage over any other political party in the country. Yet with this clear awareness and knowledge, they refused to divide Nigeria into more Regions or States, so as to make sure that, in an independent Nigeria, no one Region or State was in a position, either by its size or population, to overrule the other States put together and bend the will of the Federal Government to its own. The strenuous demands of ethnic minorities in the North for political self-determination through the creation of States were arrogantly and obtusely ignored by the British Colonial Office.

At the 1957 Conference, the British had refused to name a date for Nigeria's independence, because they were not satisfied that the country was ready for self-rule. At the resumed meetings of the Conference in 1958, they sought to discredit one of the Nigerian delegations which strongly advocated the creation of more States before independence. They asked the delegation to make a choice between the immediate creation of more States on the one hand, and the indefinite postponement of a target date for independence on the other. The delegation in question urged that more States could be created without prejudice to the fixing of a date for independence in 1960; but conceded that if the United Kingdom delegation insisted, as it did, that the choice was limited to one or the other of the two alternatives, then it would unhesitatingly opt for independence. And it did.

In addition to its electoral advantage over its rivals, the party in

power in the North left no stone unturned in employing all the machinery of the Regional and Local Governments to make it difficult and sometimes impossible for its opponents to reach the voters. This unorthodox and unfair use of Government machinery was condoned and rationalized by the British officials in the country.

Polling booths for the 1959 federal elections were constructed so as to make voting not quite as secret as it should be. Emirs and District Heads, who themselves had a direct stake in the success of the party in power in the North, and whose children and relatives together with some of the District Heads themselves constituted more than 60% of the candidates at the election, were appointed, under the direction of British officials, to maintain law and order at polling stations. In their discharge of this function, they had power to enter the voting compartments whenever they deemed it necessary.

The climax to all these manoeuvres came when a Northern leader was invited to form a new administration for the Federation, on the basis of the election results. There were altogether 312 seats in the House of Representatives. Three main parties had contested the election. The following of one of the parties was confined to the North, whilst the other two enjoyed country-wide support. The results of the election began to trickle in after midnight on 12 December 1959. On 14 December 1959, when the other two parties discovered that neither of them was going to have an overall majority in the Federal Parliament, they immediately commenced negotiation for a coalition between them. This became known to the public; and on 15 December 1959, whilst the coalition negotiation was still in progress, and when the score of the Northern party was only 116 as against 150 for the other two parties, a Northern leader was invited to form a new administration.

Because of transport difficulties in the North, the final results were not known until 19 December 1959, when the scores were, for the Northern party 142 seats, for the other two parties 162, and for independents 8. By 17 December 1959, however, one of the other two parties had concluded a coalition agreement with the Northern party which, by the grace of the British, was already irrevocably installed on the throne of power on 15 December 1959.

The swift action of the British in calling upon the Northern party to form a new administration, thereby forestalling a coalition agreement between the other political parties, each of which was led by a Southern politician of the 'agitator' type, was explicable only on the ground that they (the British) were determined to hand over power in 1960 to a Northern political leader.

The British were in power in Nigeria for about 61 years. For 47 out of the 61 years, they divided the North from the South so thoroughly and effectively that the two were divergently and almost irreconcilably orientated: the one looking intently to the Middle East and its illustrious past, and the other to the West and a glorious future. All the efforts at common orientation and concerted nationalism were made by Southern Nigerian nationalists in the face of manifold discouraging odds. The efforts succeeded to the extent that today there is a forceful crop of nationalists in the North (comparatively small in number) who share identical political views with the progressive elements in the South.

It is incontestable that the British not only made Nigeria, but also handed it to us whole and united on their surrender of power. But the united Nigeria, which they handed to us, had in it the forces—British-made forces they were—of its own disintegration.

It is up to contemporary Nigerian leaders to neutralize these forces, preserve the Nigerian inheritance, and make all our people free, forward-looking, and prosperous. It will be our endeavour in the succeeding chapters of this book to demonstrate that this can be done, and indicate how it can be done.

PART TWO

Exposition of Principles

Constitutional Basis

LIBERTY IS DEFINED as a state of freedom; a state in which one thinks and acts and speaks as one pleases, at such times and places as one chooses.

What goes on in a person's mind cannot be known except in so far as this can be inferred from his actions or words. But since it is possible by means of education, display of power, propaganda, etc., to influence or control people's minds and hence their actions and words, it is important that a definition of liberty should include the faculty to think as well as to act and speak as one pleases.

Liberty thus defined must of necessity be a speculative abstraction. If everyone in a family or community did and said what he liked at such times and places as he chose, the chaos that would result would be unimaginably frightful, and life would be unbearable for all the members of such a family or community.

Even political philosophers who have spoken of natural liberty—that is, the kind of freedom here defined—have confined the enjoyment of such liberty to 'the state of nature'. This is also a speculative abstraction, because such a state, where, according to Hobbes, man is said to have lived a 'solitary, poor, nasty, brutish and short' life, has never existed anywhere at any time since the emergence of *homo sapiens* some forty thousand years ago.

Even if the so-called state of nature had existed, it would still not have been possible for man to enjoy absolute freedom in it. His thoughts, actions, and words as well as the times and places for their exercise, would have been largely influenced or even controlled by geography, by his environment, and by his physical constitution and mental development.

From what we have said, absolute freedom in any condition whatsoever is an impossibility, and its enjoyment in a family or

community must of necessity be a veritable bane to all concerned.

In practice, therefore, liberty is worthwhile and beneficial only when its enjoyment is relative. That is to say, when it is enjoyed by a person, with due and strict regard to its enjoyment by other persons. A legal maxim puts this principle in a different way: '*sic utere tuo ut alienum non laedas*', meaning 'You are to enjoy that which is yours in such a manner as not to do hurt or injury to others'.

By his very nature, man is a social animal. He was never and could never have been 'solitary'. In order to procreate offspring and propagate his species, he must marry. He must also devote some years to the rearing of the issue of the marriage until they have reached such a state of physical maturity as to enable them to fend for themselves, and eventually raise their own families.

It is, therefore, safe to assert that at all times in his career man is a member of a family. As such, he must, as we have noted, exercise his liberty with due regard to similar exercise by the other members of the family. In other words, for the common good, all the members of the family must subject the exercise of their individual freedom to some sort of order which is ascertainable and consistent.

In all history and in different parts of the world, the affairs of the family are presided over by the *paterfamilias*, the *materfamilias*, or by both of them in some sort of esoteric partnership. Customs in this regard vary from place to place. But in Nigeria, and in most parts of Africa, it is the *paterfamilias*, sometimes advised and assisted by the *materfamilias* and the other adult members of the family, that keeps the reins of the family in his firm control. He it is who, having regard to the common interests of the family, lays down the rules by which the conduct of the members of the family will be governed, adjudicates all disputes among them, and punishes any offender. He it is also who, if necessary with the assistance of some members of the family, administers and executes all rules laid down by him. In short, subject to the injunctions of the family gods, he is the maker and executant of the family laws, as well as the dispenser of justice. Because of marriage and blood affinity, the affection which exists within the family is such as to make the other members of the family trust the *paterfamilias* completely. Consequently,

the exercise of liberty within the family unit is not difficult to regulate.

Within the limits set by the *paterfamilias*, the members of the family enjoy all the rights and freedoms which are now summed up and known as FUNDAMENTAL HUMAN RIGHTS. These limits are neither harsh nor discriminatory nor arbitrary. They are partly dictated by superstitious beliefs and by the injunctions of the family gods. In so far as the limits proceed from the rational conscious thoughts of the *paterfamilias*, they are invariably motivated by affection for, and the best interests of, the entire family.

The administration of the family unit, though simple and rudimentary, is worthy of notice. The parents devote some 16 years or so to the care and nurture of the young ones. The parents are never in doubt as to their inescapable obligations to feed, clothe, shelter, educate, and protect the lives, rights, and freedoms of their offspring. More often than not they are ready to discharge these obligations at the expense of their own personal comforts, or lives. The offspring too are never in doubt as to their natural obligation to cater for their parents in their old age or infirmity. In addition, the able-bodied members of the family are fully conscious of their bounden duty to defend the whole family, or any member thereof, against outside attack. To ensure the cohesion and survival of the family, each member is fully conscious of his duty to inform on, apprehend, and prevent the attempted or actual commission of crime by any other member of the family. Furthermore, the entire family recognizes its obligation to assist and care for those of its members who, for reasons of age, sickness, disability, or adventitious circumstances are unable to earn a livelihood. In short, the well-being of each member of the family is the concern of all, and vice versa; and the wealth of the family is shared among its members with manifest fairness and equity. The needs of the young, the aged, the sick and the disabled; and the relative contributions of the able-bodied, are the overriding factors in the distribution of the family wealth.

As time went on, however, competition among different families for the acquisition of means of livelihood, the propensity to greediness, envy, and dispute among them over a large variety of matters

led to mutual strife involving violence, bloodshed, and death. In the course of time, it was recognized that this state of affairs could not be allowed to continue indefinitely, if members of various families were to survive, live in peace and reasonable contentment, and enjoy the fruits of their labour.

Where different families lived as peaceable neighbours, they sooner or later discovered that some advantages of division of labour which were otherwise lacking might accrue to them if they united or co-operated with one another for purposes of production and exchange.

Therefore, in order to eliminate inter-family strifes with their gruesome consequences, to ensure mutual amity and welfare among themselves, to protect the individual liberty which they enjoyed within the family unit, to effect joint resistance against external foes, and for the purpose of more efficient production and exchange, two or more families had to come together to form a larger society.

This early primitive society was certainly not anywhere as well organized as our present society. All the present State paraphernalia of internal order and peace, and of security against external foes—such as the police force, the armed forces, the judicature, the Civil Service, public works, organized diplomacy and Foreign Service, and taxation for the purpose of maintaining public services—all these were not there in the fully-grown forms in which we now know them. But they were all there in their embryonic forms. Otherwise, no aggregation of families and no society or State would have had any chance of survival.

There can be no doubt that every member of this bigger aggregation, like every member of the family unit, recognized it to be his duty to inform on, apprehend, and prevent crime, whenever and wherever its attempted or actual commission came to his notice. When families lived apart from one another, the commission of crime by one against another was visited with revenge or self-redress of the most savage order; civil disputes were settled by force; and both invariably led to war. When they now lived together in unity, there is no doubt that they had, amongst them, some person or group of persons, who were charged with the functions of adjudicating over criminal matters and civil disputes. It was this person

or body of persons who dealt with all litigation according to the prevailing customs or *mores*. It was before them that an apprehended criminal was brought for trial. As there was no regular prison, there was no doubt that these early prototypes of the judiciary made very short shrift indeed of a criminal. As soon as he was adjudged guilty, he was compelled to make quick and full restitution in cash or kind or, in the alternative, he was, equally quickly, physically disposed of, or otherwise dealt with. Hence the savagery and brutality of execution and maiming for the pettiest of crimes, such as stealing yams, or adultery.

In order to apprehend and prevent the commission of crime at night, and to prevent enemy infiltration under the cover of darkness, citizens voluntarily organized themselves into guards in different parts of the land in order to ensure the security of their society.

It is natural to expect—and that was what did happen—that in order that their internal peace might be permanent and meaningful, they must arm themselves and be always prepared to discourage, by every conceivable means including a show of strength and propaganda, attack or threats of attack on them from outside, and to resist and beat off any such attack if and when it was attempted or made.

To this end, there is no doubt that, as in the case of maintaining internal order, every able-bodied person regarded himself as a soldier and defender of the fatherland. There was no need of force or coercion on him. It was a duty which he recognized voluntarily, because it was in his own personal interest to do so. From amongst this irregular voluntary soldiery, some leaders naturally emerged. The most courageous, the most intelligent, and the most skilful in the wielding of the crude weapons then in use naturally led the rest in war.

As time went on, however, someone must have emerged who combined leadership in war with sagacity and wisdom in civil administration. Such a person might have emerged from among his own victorious people, or as a foreigner amongst a defeated and conquered community with which he was completely assimilated in due process of time. (The dynasty of a conqueror which failed to assimilate would perforce be overthrown, sooner or later.) Whichever is the case, it was the person who combined the aforementioned

qualities who automatically became the permanent leader or king. Whether or not his qualities and talents were substantially transmitted to his descendants as was, by the law of heredity, sometimes the case, these blood heirs in their turn were usually proclaimed leaders or kings and made to succeed to the position which their ancestor had originally won by distinguished personal merits.

In this connection, it must be pointed out in passing that history is replete with instances where this heritage has been flagrantly abused by unworthy successors. They did not hesitate to exploit, for their own selfish benefits and aggrandizement, the trustfulness, weakness, and dependence of those under their charge, even to the extent of enslaving them. It is these unworthy successors that have given birth to political monstrosities like absolute monarchy, despotism, tyranny, and feudalism.

Apart from constant preparedness to wage war, they also employed every device and artifice to win the friendship of their neighbours. Marriage contracts were sometimes promoted between families, and between the ruling and influential classes in neighbouring family aggregations. In addition, a person who was known to be adroit in negotiation, and persuasive of tongue, was, when necessary, sent from one family unit or aggregation to another to ensure good and peaceable neighbourliness between them. Such a person used to be known as envoy or emissary: he is now known as Ambassador. Furthermore, there are times when this envoy or emissary secretly fomented trouble in a hostile neighbouring territory in order to divert the attention of the people of that territory to their own internal disorder, and thereby nullify or reduce the capacity or propensity of such people to make war, at least for the present.

The civil administration—and of course there was very little to administer—was completely vested in the *patresfamilium* with a leader or king at their head. They were aided in their task by the forces of fear, superstition, and taboo, and by the injunctions and dictates of the Oracle which must be obeyed. Black magic also played a part in bolstering up the administration by the *patresfamilium*. For instance, fear, superstition, and taboo helped considerably in the prevention of crime; and many a dispute, however bitter

and acrimonious, was finally settled by the arbitration of the Oracle.

However, as time went on—as the society grew in size, and stranger elements lived in it; as families multiplied and became more and more remote from their original stocks, and the *patres-familiarum* thus increased in number; and as it dawned more and more on people that it was much more profitable for them to employ their time on occupations of their own choosing and pay contributions in cash or kind from their earnings so as to enable the State to employ some people full-time in its service instead of all citizens rendering part-time voluntary services directly to the State—it became necessary to replace all the voluntary haphazard institutions which we have noted with formally organized and regular ones. In other words, some people were, in the course of the evolution of this union among families, later employed full-time as policemen, members of the armed forces, Judges, administrators, Civil Servants, etc., and were paid as such for their services, whilst all contributed something from their earnings towards the maintenance of these regular full-time functionaries.

It will be seen, therefore, that it was the passionate desire for peace amongst them, and for mutual defence or protection against those outside their union, as well as for the procurement of economic benefits, which led to the emergence of, first, the village-states, then the city-states, followed by the nation-states or multi-nation States. This same passionate desire for peace, collective security, and mutual benefits in all facets of human endeavour is today the strong propelling force behind the unceasing efforts of some world leaders to bring about the existence of a world-state, in which the fear of external foes would be a thing of the forgotten past, and in which there would be a permanent assurance of internal order and economic prosperity for all the members of the world-state.

Before we proceed further, we would like to make three important observations for the purpose of further clarification.

FIRST: In the contest between one family and another, or between one aggregation of families and another, it was possible that one became the victor over the other. In such circumstances, the victorious family or community would not hesitate to impose its will

and dictates on the other. It would almost certainly appropriate all available land to itself in order to establish an effective dominance over the defeated group. In addition, the liberty of the vanquished would be arbitrarily circumscribed or totally destroyed for the benefit of the conquering family or community. In such an event, the defeated family or community might succumb completely to its conqueror, or, as was more natural and likely, would strive to regain its lost liberty by force and stratagems. At the same time, the victorious family or community would feel compelled to use force to maintain its dominance. Whichever was the case, a state of social imbalance and discontent would arise in the resultant society, until the original wrongs were righted; unless of course the two groups—the conquering and the conquered—became so quickly and completely assimilated that the consanguine line of demarcation between them became obliterated with little loss of time.

SECOND: It was possible that two or more contending families or aggregations of families had felt tired of war and had entered into negotiations between themselves for the attainment of peace and for mutual defence against other hostile families or aggregations of families. In this circumstance, it is reasonable and safe to assume that the contracting families or aggregations of families would rule out the possibility of each of them being a law unto itself within the union; but would ensure equality among them, and the preservation of the rights and freedoms which the members of the different families had enjoyed hitherto. They would regard such rights and freedoms as inalienable and indestructible. It is also reasonable to assume that some sort of arrangement would have had to be made whereby the existing *patresfamiliarum* would surrender their powers over their respective families to a new body or bodies, which would exercise such powers in the traditional spirit, style, and natural and indiscriminating affection of a *paterfamilias*. To this end, it would be considered essential to set up machinery for the making of laws, the adjudication of disputes and the enforcement of such laws and adjudications. The history of man during the past 4,000 years is replete with experiments aimed at evolving satisfying methods for the administration of the affairs of the amalgamated families, called the State. The problems which confronted the first negotiating families

remain: the making of laws which will reflect the wishes of the people and promote their welfare and happiness; the impartial adjudication of disputes; and the firm and undiscriminating enforcement of all laws and adjudications.

THIRD: No family unit would have survived in which the *paterfamilias* was in the habit of maltreating the members of the family, discriminating in favour of one to the prejudice of another, or flouting or disregarding the views of the majority of the adult and able-bodied members on important issues. In other words, for the family unit to survive—and hence for the new aggregation of families to survive—either the adult and able-bodied members must have a direct say in the administration of the affairs of the family or community, or the *paterfamilias* or *patresfamiliarum* with the king at their head, must see to it that, in all they do, they reflect the wishes and promote the interests of each and all of the members of the aggregating families.

It is clear from all that we have said that the family, as an independent sovereign unit, is a precarious and nonviable entity, and that it is the State or the aggregation of families alone which can properly and satisfactorily provide the conditions under which man can exercise his individual freedom, live a full and happy life, and enjoy the fruits of his labour.

What then is a State? And to what extent and under what arrangements does a person enjoy to the full the political and social objectives which we have just stated?

According to Salmond, 'A State is an association of human beings established for the attainment of certain ends.'¹ Keeton's definition is more explicit than Salmond's, and distinguishes a State more clearly from other human associations like partnerships, limited liability companies, clubs, etc. It runs as follows:

A State is an association of human beings, whose members are at least considerable, occupying a defined territory, and united with the appearance of permanence for political ends, for the achievement of which certain governmental institutions have been evolved.²

From these definitions, all the attributes of a State can be discerned. But only three of them deserve special attention here. A State must have:

- (1) objectives—'political ends';
- (2) a Government—'governmental institutions'; and
- (3) a constitution.

The first two are obvious from the words of the definitions, whilst the third is necessarily implied. The definitions of Government and constitution will make it absolutely clear that the existence of Government necessarily implies the pre-existence of a constitution.

At this stage we would like to emphasize that there is a sharp distinction between CONSTITUTION and GOVERNMENT, between STATE and GOVERNMENT, and between STATE and NATION. We are doing this because, in common parlance, CONSTITUTION and STATE are respectively regarded as synonymous with GOVERNMENT and NATION. In a strict scientific sense, they are not.

Having just given the definition of STATE, we will, for ease of comparison, give that of NATION, before we deal with CONSTITUTION and GOVERNMENT. According to the *Shorter Oxford English Dictionary*, Salmond, and Keeton, respectively, NATION is defined as follows:

- (1) A distinct race or people, characterized by common descent, language, or history, usually organized as a separate political state and occupying a definite territory.
- (2) A group of persons who feel that they are distinct from others on grounds of culture, language, and sometimes ancestry.
- (3) A community of persons linked either by their historical development, common speech, or common social customs, or several of these criteria, in such a way that such persons would still tend to cohere even if separated under different governments.

From the definitions of STATE and NATION which we have given, four important points emerge.

FIRST: A State may consist of a number of nations; as in the U.S.S.R., India, Nigeria, and Switzerland.

SECOND: A nation may be divided into a number of States; as in Ancient Greece, and as is the case with the Ewe-speaking people in Ghana and Togo, the Kurd-speaking people in U.S.S.R., Iraq, Iran, Turkey, and Syria, the Greek-speaking people in modern Greece and Cyprus, and the German-speaking people in Western Germany and Eastern Germany.

THIRD: A nation may be co-extensive with a State; as in Portugal and Italy.

FOURTH: While a nation need not have political ends in order to maintain its cohesion, unity, and corporate existence, a State must. In other words, whilst it is imperative that the elements or objectives for the cohesion and continued corporate existence of a State must be consciously organized and continuously sustained by the members of the State, all that a nation needs for the preservation of its cohesion and corporate continuance are already ingrained at birth, as unconscious powerful tendencies, in the members of the national group, and nurtured by many self-sustaining cultural ties and sentiments.

We would like to observe in passing that in a strict scientific sense, the name United Nations Organization is not at all apt. Because it is STATES not NATIONS as such that are members of the world organization.

Whenever the word CONSTITUTION is mentioned, we quickly conjure up in our minds the picture of a special legal document which contains various provisions relating to:

- (1) the organs of government, together with their characteristics and the mode of establishing them;
- (2) the powers and functions of such organs, their relationship *inter se*, and with the public at large; and
- (3) the enforceable rights and duties of the citizen.

Indeed, Wade and Phillips say that:

by a constitution is normally meant a document having a special legal sanctity which sets out the framework and the principal functions of the organs of government of a State and declares the principles governing the operation of those organs.³

But a constitution need not be, and has not always been, in writing. Primitive and illiterate societies have no written constitution or laws; nor did most countries of Africa before the advent of European rule. Even today, the British Constitution is only partly written; the same applies to the Constitution of New Zealand.

What then is a constitution?

According to the authors of the *Shorter Oxford English Dictionary*, CONSTITUTION is defined as:

The system or body of fundamental principles according to which a nation, State, or body politic is constituted or governed.

On the other hand GOVERNMENT has been defined as:

The body of persons charged with the duty of governing a State.

A cursory comparison between the meanings of CONSTITUTION, STATE, and GOVERNMENT makes the distinction between them clear and indubitable. Indeed the distinction is so sharp that it is erroneous, in serious discussions to speak of FEDERAL or UNITARY GOVERNMENT, or to treat STATE and GOVERNMENT as synonymous.

We have noted, earlier on, that a State must have (1) a constitution, (2) a Government, and (3) objectives.

It is our considered view that in order that the liberty of the citizen may be guaranteed, and in order that he may live a full and happy life and be at peace with his fellow citizens, the State must have a suitable constitution, stable Government, and continually strive to fulfil its objectives. It is easy to appreciate that if the constitution is unsuitable, the Government is unstable, or the objectives are only being fulfilled in the breach, the State concerned will be afflicted with social distress involving widespread disorder. And wherever there is disorder, the liberty and welfare of the citizen will suffer either death, violation, or grave uncertainty. We will, therefore, consider what type of constitution is suitable for any given State, what objectives are appropriate to it, and what form of Government is most conducive to stability and to the ends for which the State is established.

There are three types of constitution. They are unitary, federal, and confederal.

Where a given State has only one Authority in which supreme legislative power is vested, such a State is said to have a Unitary Constitution. Where, on the other hand a number of States unite, the resulting union will be called a composite State, and each State in the union a constituent State. The Authorities in the composite State and in each constituent State will be known respectively as Central and Regional Authorities. Now, if the supreme legislative power or functions in the union are divided between the Central Authority on the one hand, and the Regional Authorities on the other, in such a manner as to make the Central and Regional Authorities co-ordinate with and independent of one another in the discharge of the functions expressly or by necessary implication

vested in them, then the constitution under which these arrangements are made is known as a Federal Constitution.

A Confederal Constitution is easily distinguished from a Federal Constitution. While the Central and Regional Authorities under a Federal Constitution are co-ordinate and independent of one another, under a Confederal Constitution, the Central Authority is, to a large extent, dependent on the Regional Authorities. In other words, the Central Authority is neither co-ordinate with nor independent of the Regional Authorities. For all practical purposes, it owes its existence to the sufferance of the Regional Authorities.

A Federal and a Confederal Constitution is invariably a written constitution, for the simple reason that the division of functions between the Central and Regional Authorities which is inevitable, together with the attendant numerous provisions, cannot be left to what Harold Laski has graphically termed 'the hazards of human memory'.

There are, however, two known methods for dividing these functions. Under the first method, the powers of the Central Authority are clearly stated in the constitution, and are included in what is usually termed the Exclusive Legislative List. All other powers not so stated are known as residual or residuary functions, and are exclusively vested in the Regional Authorities. The converse of this is the case under the second method. Here the residuary functions are vested in the Central Authority. It is now common form, under the two methods, to specify a number of functions which the Central or the Regional Authority may perform at its pleasure; with the proviso that if any law enacted by the Legislature of a constituent state is inconsistent with any law enacted by the Legislature of the composite State, the former shall be void to the extent of the inconsistency. These functions are usually set out in what is generally known as the Concurrent List. The Indian Constitution is unique in that it purports to set out in writing all the functions of the composite and constituent States in addition to the concurrent functions. On this score, the Indian Constitution errs on the side of superfluity, and makes the task of judicial interpretation unusually difficult in the case of dispute between the Indian Government and a Provincial Government, as to who has the right to exercise a given function.

Before considering which of the three types of constitution is suitable, the first thing to ascertain is whether or not the State in question consists of only one nation or of more than one nation or linguistic group. This is of extreme importance, because an error in this regard may lead to a more or less permanent state of friction and disharmony within the State concerned.

Much of the constitutional instability and political upheaval in different parts of the world, and especially in Africa, would be considerably reduced if constitution-makers in those countries took the trouble, or were objective enough, to ascertain and acknowledge the difference between NATION and TRIBE.

From its definition, we have seen that the distinctive and inseparable characteristics of a nation are common language, common culture, and sometimes common ancestry. According to Dr. Rivers 'a tribe is a social group of a simple kind, the members of which speak a common dialect, have a single government, and act together for such common purposes as warfare'. It will be seen, therefore, that a nation consists of a number of tribes; a tribe in turn is composed of clans, whilst a clan is a collection of consanguinous families. All the tribes in a nation, though they speak different dialects, also speak the same language which is their mother-tongue, share the same culture, and sometimes claim a common ancestry. The members of these tribes, to borrow the words of Keeton, 'will tend to cohere even if separated under different governments'; witness the irresistible tendency to cohere on the part of the Greeks in Cyprus and Greece, on the part of the German-speaking people in the two Germanies, and on the part of the Ewe-speaking people in Togo and Ghana.

To classify a NATION as a TRIBE is unscientific in the extreme, and is bound to lead to serious and unpleasant consequences in the process of applying and employing such classification. In the confusion resulting from this error, two or more nations will be lumped together and treated as if they possess the same cultural characteristics.

The most manifest and the most easily recognized cultural difference between two nations is language—the mother-tongue. As we have said in *Thoughts on Nigerian Constitution*, 'language lies at the base of all human divisions and divergences'. Language differences

breed suspicion, and generate an unconscious overpowering urge for separateness and exclusiveness. Whatever view different classes of people may hold about the authenticity of the story, it is worthy of note that work on the construction of the city and tower of Babel came to an abrupt and permanent end when 'the Lord did there confound the language' of the builders. We maintain that 'you can unite but you can never succeed in unifying peoples whom language has set distinctly apart from one another'. If you tried, you might appear to succeed in the short run, but the ingrained tendency to cohere and assert separate and distinct national identity will eventually overcome any inducement to the contrary.

In other words, while, as we have said earlier on, the tendency to cohere was ingrained at birth and self-sustaining in all the individual members, or tribal groups, of the same nation, there is no such inherent tendency in the members of two different nations. In the latter case the need to cohere must be objectively recognized by the nations concerned, and the tendency to remain so must be consciously and sedulously nurtured in the members of the nations.

In short, in making a constitution, it is absolutely imperative to make a meticulous analysis of the composition of the State concerned, as well as an accurate and scientific classification of the resulting elements.

When the composition of the State has been correctly ascertained, the next step is to determine which of the three types of constitution is suitable, having regard to such composition.

In this connection, we would like to point out that only two of the three—the Unitary and the Federal types—need be considered. From all available historical evidence, a Confederal Constitution is an unrelieved failure. It has never successfully served any State as a permanent constitution. As a temporary expedient, it stood the United States of America in good stead from 1776 to 1786.

In considering which of the remaining two types is suitable, the composition of each State, as we have said before, must be taken into strict account.

If the State in question is composed of one nation, that is to say, if it is a uni-national or uni-lingual State, the constitution must be Unitary. If it is Federal, the tendency to cohere among the con-

stituent States will strengthen the Central Authority at the expense of the Regional Authorities; with the result that the constitution will remain only Federal in name, but Unitary in actual fact.

On the other hand, if the members of a State, though belonging to one nation, have for a long period of time lived as geographically separate and autonomous groups, each group will insist on retaining a large measure of its autonomy. In that case, only a Federal Constitution will be suitable. This will be more so, if the groups while retaining a common language, have, in the process of their long separation from one another, developed some important cultural divergencies, such as different religions and social ideals.

If the State in question is composed of more than one nation, that is if it is bi-national or bi-lingual, multi-national or multi-lingual, the constitution must be Federal, and the constituent States must be organized on a linguistic basis.

If the constitution is unitary, mutual suspicion and distrust, and the tendency to assert their separate identities, on the part of the different nations or linguistic groups composing the State, will militate against all efforts at unification, however brave and well-meaning these may be.* Indeed, the struggle for self-assertion on the part of each nation or linguistic group may be so violent as to threaten the very unity of the composite State.

Furthermore, if one or more of the nations in the multi-national State has, for a long period of time, lived as a geographically separate and autonomous group, the constitution of the State must, *a fortiori*, be Federal, and the constituent States must be organized on the dual basis of language and geographical separateness.

Four principles or laws emerge clearly from what we have said, and we would like to state them:

(1) If a country is uni-lingual and uni-national, the constitution must be Unitary.

(2) If a country is uni-lingual or bi-lingual or multi-lingual, and also consists of communities which, though belonging to the same

* For the avoidance of misunderstanding, we would like to state that, in this and the subsequent chapters, we are using the words NATION, NATIONAL GROUP or UNIT, and LINGUISTIC GROUP or UNIT as synonymous, unless we make it clear in the context that the contrary is the case.

nation, have, over a period of years, developed some important cultural divergences as well as autonomous geographical separateness, the constitution must be Federal, and the constituent States must be organized on the dual basis of language and geographical separateness.

(3) If a country is bi-lingual or multi-lingual, the constitution must be Federal, and the constituent States must be organized on a linguistic basis.

(4) Any experiment with a Unitary constitution in a bi-lingual or multi-lingual or multi-national country must fail, in the long run.

We would like to add that we have arrived at these principles after very careful study and analysis of the constitutional evolution of every State in the world. We therefore regard the principles as conclusive, because the method which we have adopted is that of summative induction.

According to John Stuart Mill, induction is 'that operation of the mind, by which we infer that what we know to be true in a particular case or cases, will be true in all cases which resemble the former in certain assignable respects'.⁴ More than two thousand years earlier, Aristotle had described induction as 'A passage from individuals to universals'⁵.

It will be seen, therefore, that we have done much more than is required by the rules of induction. We have employed the summative method of induction because we are aware that we are dealing with human institutions which are very liable to substantial variations, and because it is both possible and much safer, to employ this method, in the present instance. The phenomena under investigation are not only all of them ascertainable but are also all open to direct study and analysis.

We have set out as fully as possible in *Thoughts on Nigerian Constitution* the facts from which the principles we have just enunciated have been deduced. And we make bold to declare that these principles will hold good as long as the hearts of the vast majority of human beings continue to be ruled more by passions, emotions, individual wills, and self-interest than by objective reason and the pursuit of generally beneficial common goals. Indeed, these prin-

ciples will continue to hold good as long as mankind remains divided, as at present, by language, culture, and disparate social objectives.

As we have emphasized again and again on other occasions, it is of very great importance for practical politicians and constitution-makers to bear in mind that the more educated the people in a nation become, the more hardened and distinct are their language and culture.

Since, as we have said, these principles are conclusive and inexorable in the long run, it is imperative that, in their own interests, all countries in search of a suitable constitution should adhere to them most religiously. It is particularly so in the case of Nigeria and other developing countries. A nation groping more or less in the dark, and striving for bare subsistence, cannot afford to depart from laws and principles which are sufficiently verified, and from routes which are well charted, to embark on experiments which the empirical verdicts of history declare to be utterly ruinous. The strains and stresses which such experiments will generate are bound to worsen, excessively, the already dismal economic and social plight of the country concerned, and imperil the liberty of the citizen.

As we have noticed, one of the things which a constitution does is to prescribe the organs of Government. These organs are three, namely: Legislative, Executive, and Judicial. But there are various forms of Government. We will deal with the forms of Government first before turning our attention to its organs.

In its long and tedious progression since the beginning of recorded history, mankind has tried various forms of Government, such as theocracy, gerontocracy, autocracy, oligarchy, tyranny, ochlocracy, democracy, etc. From all available historical evidence, however, and having regard to the composition of the State, it is clear that the best of them all is democracy. It may be mentioned, in passing, that this proposition is substantiated by the fact that even those who practise autocracy, tyranny, or oligarchy are so conscious of the inferiority of this form of government that they give it the label of democracy, in order to pass it off to their less sophisticated fellow-citizens and foreign observers as the ideal.

The inherent characteristic of democracy, which distinguishes it from any other form of Government, is that it posits the ultimate

principle that political power or sovereignty belongs to the entire people of a State rather than to the few or the one, and that it is the entire people of the State who are entitled to exercise this power for their own benefit.

This proposition raises two important questions. Why does political power or sovereignty belong to the entire people? And how do the people exercise their inherent power or sovereignty?

We have noted the constitution of the family. There, the *paterfamilias* regards himself, and is looked upon by the other members, as the trustee of the entire family. He does not need to be told or instructed that the power which vests in him belongs to all the members of the family, in that he never has any doubt in his mind that he is in duty bound to wield such power only for their benefits. In this connection, the youngest member of the family counts as much as the oldest. On occasions when he has to consult the views of the other members of the family, it is to the able-bodied mature members that he turns. He does so, because it is the latter who contribute more than others to the needs and the wants and the material possessions of the family; it is also they who are called upon, from time to time, to defend the family against external foes; and in any case, after many centuries of trial and error, it has been established that, other things being equal, their judgment is more reliable than that of the younger and less mature members of the family. The age at which a person is considered mature varies from race to race, from nation to nation, and even from tribe to tribe. But it is doubtful if any one below the age of sixteen will be considered sufficiently mature. In any case, for reasons which we are not competent to expound, mankind appears to be generally agreed that human maturity begins with the age of twenty-one.

In view of the foregoing, it is quite valid to say that sovereignty in the family belongs to all the members thereof, and that, strictly speaking, it is the latter who are entitled to exercise it through the wisdom of the mature members of the family for the benefit of the entire family. But, as we have noticed, it is the *paterfamilias*, because of the special relationship existing between him and the other members, in whom, as trustee, the family sovereignty is vested. We would like to emphasize that the factors which make the members

of the family allow their sovereignty to be vested exclusively in the *paterfamilias* are absolutely fortuitous and subjective. A man cannot choose his family. He is born into it. And once born into it, he clings to it with unflagging spontaneous love and devotion for the rest of his life, or until he establishes his own separate and independent family.

When two or more families amalgamate, they will, under normal circumstances, want to retain as many of the rights and liberties which they enjoyed in their respective families before amalgamation, as will be conducive to the viability and permanence of the union. These rights are inherent in every man and are inalienable. They are:

- (i) Freedom from intentional deprivation of life.
- (ii) Freedom from torture and inhuman or degrading punishment or treatment.
- (iii) Freedom from slavery or servitude.
- (iv) Freedom from deprivation of personal liberty.
- (v) Freedom from interference with privacy and family life.
- (vi) Freedom of religion.
- (vii) Freedom of expression.
- (viii) Freedom of assembly and association.
- (ix) Freedom of movement.
- (x) Freedom from discrimination.
- (xi) Right to education.
- (xii) Right to work and to just remuneration.
- (xiii) Right to support in the event of sickness, disability, or old age.
- (xiv) Right to personal property, and to protection thereof.

In addition, it is natural that the members of one family will not trust any of the other *patresfamiliarum* as they trust their own in the matter of prescribing *mores* or laying down injunctions which will affect their lives or regulate their activities, and as to the modes of executing such injunctions. It stands to reason that, even in their primitiveness, all the adult members of each family will want to take part in the working out of such injunctions. They will insist that the execution of the injunctions should be done to the general and equal satisfaction of all the families in the union, and that the adjudication

of disputes between all or any members of one family and another is undertaken by an impartial and disinterested arbiter. In short, each family will very much want to retain the sovereignty which inheres in it before the union, but will, in the common interest, delegate it to any person or persons within the union in whom it has confidence. Since such a delegate or delegates cannot be expected to possess the spontaneous affection and transparent selflessness of a *paterfamilias vis-à-vis* his family, each family will also insist that the delegation of its sovereignty and the manner in which it is exercised by the delegate or delegates should be subject to such limits and conditions as can be objectively ascertained and controlled.

It must be pointed out, however, that these normal arrangements have not always obtained. In fact, until a century or so ago they rarely did. Now and again, down the ages, some dominant character (the autocrat or tyrant), or a cabal of dominant personalities (the oligarchs) emerge and usurp the inherent rights of the people. Happily, however, all autocrats, tyrants or oligarchs have invariably ended up in disgrace and disaster.

As in the family then, so in the State which is a union of many families: political power or sovereignty belongs to the entire people, who are entitled to exercise it for their own benefit. And as we have explained, by 'people' we mean 'the adult members of the family or State'.

When the adult members of a State personally take part in the administration of the State, direct democracy is said to exist. In this connection, it is true to say that no country in the world, from antiquity to the present day, has attained to the ideal of direct democracy. The Greek city-state of antiquity, because of its small size, went very close to attaining the ideal. In nine of the Swiss cantons, direct democracy is practised to the extent only that a referendum, in which only the adult males vote, is mandatory for all legislation.

The advent of nation-states and multi-nation-states has made it much more difficult to practise anything resembling the democracy of the Swiss cantons or that of ancient Greece.

But in its efforts towards the attainment of the ideal, mankind has evolved a representative or indirect democracy. In this form of democracy, the adult members of the State periodically elect some

persons from among themselves who are charged with responsibility for the making and execution of laws for the State, and for its general day-to-day administration.

Various methods have been devised for the practice of representative democracy. We will consider them under the two heads of Legislature and Executive.

Legislature : There are three broad methods of electing the members of a Legislature; the relative-majority method, the proportional-representation method, and the absolute-majority method.

The relative-majority system is essentially the British system. The State is divided into a number of parliamentary constituencies, each of which is entitled to send a single member to Parliament. At election time, any candidate who scores the highest number of votes in a constituency is declared elected. If there are three candidates, A, B, and C, sponsored by different parties, and they score 7,000, 6,990, and 6,980 respectively, then A will be declared duly elected, even though his majority is only relative, not absolute. Under this system, it may well turn out, as is often the case in Britain and in other countries where this system is in vogue, that when the results for all the constituencies have been declared, the party which controls an absolute majority of members in Parliament actually scores an absolute minority of votes.

In the example of A, B, and C which we made above, it will be seen that A, who was declared the winner, scored only about a third of the total votes cast. This is not an uncommon occurrence under this system. Even when the contest is only two-cornered, it might well happen that the winning party has only a minority of votes. Suppose D, F, H, and K belong to the same party as A, whilst E, G, J, and L are in the same political camp as B, with D, F, H, and K opposing E, G, J, and L in four constituencies respectively. Suppose further that their scores are as follows:

D =	5,000	E =	4,500
F =	3,500	G =	8,000
H =	10,000	J =	6,000
K =	6,000	L =	6,100
	<hr/>		<hr/>
	24,500		24,600
	<hr/>		<hr/>

It will follow that though the party of A wins three of the five seats, yet it has scored only a total of 31,500 votes as against an aggregate of 70,070, and as against the total votes of 38,570 scored by the losing parties. In relative terms, the winning party scored 44·9% of the votes cast; B's party 45·1% and C's party 10%, but without a seat in Parliament.

If the scores in these five constituencies represent the trend in all the other constituencies in the State, then the winning party will control three-fifths of the total seats in Parliament for only 44·9% of the votes.

This anomaly has led many countries in Western Europe to evolve the proportional-representation system. If this system had been employed in the above example, out of a total of, say, 500 seats, A's and B's parties would have had 225 members each in Parliament, whilst C's party would have had 50.

Under the absolute-majority system, which may be described as the Gaullist system, C would have been eliminated in the first round of election, and there would have been another poll in which the contest would have been confined to A and B. Those who had previously voted for C would be free to vote for either A or B in the second poll. Granting that A and B retained their original supporters, that only 5,000 of C's supporters cared to vote in the second poll, and that, out of these 3,000 voted for A and 2,000 for B—then in these circumstances, the final results in terms of votes scored would be different. A's party would then score 34,500 votes as against 33,590 of B's or 50·7% as against 49·3%.

Each system has its merits and demerits. The relative-majority system has the merit of ensuring that one single party does have a working majority in Parliament. This, subject to the willingness of the majority of the citizens to operate the system, makes for political stability, which is often absent under the proportional-representation system. While a party with a majority in Parliament more often than not emerges under the relative-majority system to form a Government which usually remains in office for its full term, under the proportional-representation system it is more often than not the case that two or more parties have to come into coalition before a Government can be formed at all; and even then it is the exception

which proves the rule when such a Government lasts its full term of office. Indeed the rule is that such a Government will break up, and the dominant party in the coalition will begin all over again to negotiate with some other party or parties for a new coalition, which will invariably exclude that party whose action has brought down the outgoing Administration. The chief merit of the proportional-representation system lies in the fact that all shades of political opinion in the State are fully represented in Parliament. In contrast, one of the demerits of the relative-majority system consists in the fact that under it only the majority shades of political opinion have any chance at all of being represented in Parliament. Furthermore, whilst the proportional-representation system encourages irresponsibility in party politics, the relative-majority system inculcates a strong sense of responsibility. The direct outcome of the one is a large number of political parties none of which alone can form a Government, while that of the other is the emergence of two main political parties each of which in its turn is capable of forming a Government.

The absolute-majority system seeks to combine the merits, and avoid the demerits, of both the relative-majority system and the proportional-representation system. This system seeks to ensure the emergence of a single party with an absolute majority not only of all the seats in Parliament, but also of all the votes cast. If this is achieved—and we sincerely think that under normal circumstances it should be achieved; if this is achieved, then it can be said that the members in Parliament of the party in power represent an absolute majority of the electorate. As we have seen, under this system, those who voted for the candidate with the least number of votes, in a three-or-more-cornered contest, are given the chance for a second thought. Even though some or many of such people may refuse to vote during the second poll, the fact remains that they are given the chance, and that those who do vote for the winning candidate in the second poll do regard him as their accredited representative in Parliament.

It may be contended that this process of second thought does not yield the same satisfaction to the voter as his first preference. Very well. But the gross irresponsibility in party politics which the

proportional-representation system inherently encourages must be considered against the conscious and deliberate efforts which the absolute-majority system makes to ensure that all shades of political opinion in the State are represented in a Parliament in which a single political party has absolute majority, and is thereby equipped to run a stable Administration capable of lasting its full term of office.

In fairness, it must be stated that the proportional-representation system and the relative-majority system can work, and have in fact worked in some parts of the world to ensure political stability. Italy is an example of the former and Britain of the latter. But the proportional-representation system in France led to political instability of the worst kind until de Gaulle came to the rescue. It is our well-considered submission, therefore, that it is the national character and ethos of the people concerned, rather than any intrinsic virtues in the proportional-representation and relative-majority systems, which have made the systems succeed in countries like Italy and Britain.

Executive: In some countries, the members of the Legislature alone are elected by and responsible to the people, whilst those of the Executive are chosen from among, and are responsible to, the Legislature. This is the British method, under which the leader of the party with a majority of the members in Parliament becomes the Head of the Government, and chooses some of his fellow-party-men in Parliament to join him in forming the Executive. The chief merit of this system is that each member of the Executive is made answerable both to Parliament which consists of the accredited representatives of the electorate, and the constituency which elected him. Its chief demerit is that it tends to encourage partisanship and narrowness of outlook. Every member of the Executive should view every problem or issue that comes before it in its wider country-wide ramifications and interests. But since he owes his seat only to one constituency, such a member will, for as long as he intends to keep his seat in Parliament, be tempted to favour his constituency more than any others. The British system suffers from two other demerits. Firstly, because of the relative-majority system which we have already considered, more often than not the members of the Executive represent only a minority of the electorate whom they set out to

govern. Secondly, since the members of the Executive are usually among the most influential in the party in power, and because of the expectation of patronage on the part of the other members in the Legislature, the said members of the Executive are able to combine in themselves the three functions of formulating proposals for a law, making the law itself, and executing it. The checks and balances which are brought into play by vesting the legislative and the executive functions in separate hands tend to be absent under this system. But somehow, even the British Lord Chancellor manages to live in a separate water-tight compartment whenever he performs each of the three functions of the Legislature, Executive, and Judicature vested in him. It must be conceded, however, that only a Briton can do this with honourable and outstanding success.

On the other hand, in some other countries the members of the Legislature on the one hand, and the Head of the Government on the other, are separately elected by and are responsible to the people. This is the American system, and also the French system under de Gaulle. Its chief merit is that it faithfully observes the doctrine of separation of powers, and does not permit anyone or any group of persons to be in a position both to make the law and execute it. The only demerit of the American system is that, under the relative-majority method, it runs the risk—and it is only a risk—that the members of the ruling party in the Legislature with a majority of seats there might have been elected by a minority of the electorate. The French system does not quite run the same risk; though it is on record that in the last French general election the party of de Gaulle had a slender—only a slender—absolute majority of seats in the French Parliament, via the votes of a minority of the electorate. Under the relative-majority system, de Gaulle's party would most probably have won a much larger number of seats for fewer votes.

Under the American and the French system, the Head of the Government is known as the President, and he is directly responsible to the electorate. In the United States he is enjoined by the constitution to select the members of his Executive only from outside the Legislature. But in France, he is free to choose them from among or from outside the members of the Legislature.

From the examination which we have made, it is obvious that

perfection is still to be achieved in the practice of democracy. But in all countries where democracy, as we have described it, is faithfully practised, there is a continual and conscientious striving towards perfection.

No matter whether the method is relative-majority, proportional-representation, or absolute-majority, the objectives are the same; namely, to ensure:

(1) that those elected are truly representative of and are strictly accountable to the people;

(2) that as far as possible, there is no facility for complicity among those in charge of the organs of Government to subvert the interests of the people, or to further their own selfish ends;

(3) that the inalienable rights of the people are recognized and inviolably preserved; and

(4) that members of the Executive are not given any opportunity of developing tenacity of office, or of usurping the sovereignty of the people, either by force or stealth.

To these ends identical means have been fashioned respectively as follows:

(1) General elections which are free and fair, and in which any interested persons or political parties are free to take part, are held in four-yearly, five-yearly or seven-yearly intervals.

(2) There is separation of powers between the three organs of Government.

(3) The constitution—whether written or not—has in it entrenched provisions for the recognition and impartial enforcement of the fundamental rights of the citizens.

(4) There is a recognized convention as well as a code of conduct which obliges the members of the Executive to regard themselves as nothing but the accredited and privileged servants of the people, for a limited period of time.

The foregoing outlines of objectives and means call for some further elaboration.

It is clear from what we have said that in order that the persons elected, by whatever method, may be regarded as the accredited

representatives of the adult members of the State, the electors must be allowed to exercise their right of choice without let or hindrance. They should not be intimidated or coerced into making an unwanted choice; and they should be allowed to make their choice in secret so as not to be subjected to any fear in casting their votes, and not to be exposed to hatred and hostility from those who have not been favoured by their votes.

In devising its method of representative democracy, every State in which this form of Government is in vogue has always borne the following postulates in mind :

(1) Every person has the right to freedom and to the unfolding of his personality.

(2) Every person has the right to hold, express, and canvass any opinion he likes.

(3) All persons are equal in the eye of the law, and are therefore entitled to equality in the enjoyment of the rights of personal liberty, of association, and of free movement.

(4) Every adult person is entitled to have a say in the manner in which the affairs of his country are being or should be conducted.

These postulates automatically spring from the rights which a man enjoys in any given family; and, as we have already demonstrated, the postulates are quite valid, and incontestable on any rational ground.

It is pertinent to stress, therefore, that the acceptance of these postulates automatically rules out the legitimacy of the so-called one-party system.

Because of heredity, upbringing and other factors, there are scarcely two men, in any community, exactly alike in their thinking, opinions, and affections. It is, therefore, too much to expect them to belong to only one political association. Indeed, it is a matter for great praise that the people in a State do form themselves into political associations or parties each of which extends beyond the confines of their respective families, and in which, in Burke's words, the people 'are united for promoting by their joint endeavours the *national interest upon some particular principle upon which they are agreed*'.

In other words, one of the quintessences of democracy is a multi-party system. It is under such a system that the individuals are able to exercise their right of association, their right to the unfolding of their peculiar personalities, and their right to hold, express, and canvass any opinions they like.

It must be proclaimed from the house-tops, therefore, that democracy and the one-party system are absolutely antithetic. This is so, because under the one-party system the citizens are compelled, by a process of coercive regimentation of thought and opinion, to belong to one political association. Alternatively, they are coerced to refrain either from holding any political opinions at all, or from expressing and canvassing any such opinions.

Those who are engaged in constitution-making, in any country, should be reminded that one of the lessons which political history has tirelessly inculcated is that any form of Government other than democracy is doomed to failure and disaster, and can only be sustained, in the short run, by fraud, intimidation, and force.

Six of the arguments in support of the one-party system are worth examining at this stage.

FIRST: It has been suggested that the one-party system does not prevent the holding of divergent and conflicting opinions by members of the one party. Agreed. But it does preclude the canvassing and separately organizing in favour of such opinions outside the one party which, in our view, amounts to an unwarranted restraint on the liberty of the individual. Indeed, in the family unit, which is the basis and cornerstone of our analysis, there can be no question of the members thereof organizing themselves into opposing groups or parties for the purpose of achieving common family objectives. But it must be borne in mind in this connection that the inherent, instinctive, and spontaneous love which members of the same family have towards one another, is non-existent among members of different families which constitute a State. Any affection between members of different families must be deliberately and consciously cultivated, on individual not on State basis. Furthermore, by and large, members of the same family tend to think alike on matters of common interest, more than do members of different families.

SECOND: It has been contended by many African leaders that the multi-party system is alien to the African way of life. This contention is demonstrably untenable. Before the advent of European colonialism, most of the countries of Africa were under the harsh and oppressive rule of despots and feudal lords, backed by the awe-inspiring dictates of the Oracles. Under these forms of Government, the liberty of the individual was nil or *at a considerable discount*. Where the community did not rise above the clan or tribe, public affairs were conducted by a chieftain actively advised by a council of elders, and backed also by the pronouncements of the Oracles. Besides, the African communities of the pre-European era had very rudimentary problems of a public character to deal with. They were: inter-tribal wars, the failure of rain to fall in its due season, and recurrent epidemic. The solution to any of these problems was invariably sought from the Oracle, whose decree and injunction were always accepted without demur, and most solemnly followed. In other words, once the despot, the feudal lord, or the Oracle had spoken, there could be no two opinions on the part of the people. Today, however, our problems are not only multifarious and incapable of submission to the Oracle, but even the voice of the Oracle no longer carries conviction with most Africans. In the absence of the despot, the feudal lord, and the Oracle, or even in spite of them, every citizen should be presumed free to exercise his inalienable rights and freedoms. In such circumstances, the one-party system should not be allowed to thrive, and the multi-party system should be given the fullest possible scope, compatible with political stability.

THIRD: It has been pointed out that under the multi-party democratic systems which we have previously considered, 'the winners take all', in that they alone control the reins of Government. It is contended that this is un-African and productive of bitterness. Whereas, under the one-party system both the winners and the losers, that is the majority and minority elements, are catered for under the same auspices, in the disposal of Government offices and patronage, thereby bringing satisfaction to all the contestants. This argument overlooks the vital point that if people fail to agree as to ends or to the means of attaining the ends, they cannot work

harmoniously and fruitfully together. Indeed, they will tend, wittingly or unwittingly, to stand in one another's way and totally frustrate their best endeavours. On the other hand, those who believe in the same ends and agree as to the methods of attaining them are certain to work harmoniously together and produce results which will benefit the public at large. The hall-mark of the multi-party system is majority rule. It is appreciated that this system demands justice, fair play, and tolerance on the part of the majority, in order that the members and supporters of the majority and minority parties may be given equal scope to participate in deliberating on public issues, and in order that all the citizens may benefit equally or equitably from Government measures. But it must be admitted also that the attributes of justice, fair play, and tolerance are indispensable to peace and stability under any system, and that the possession of these, together with unstinted respect for constituted authority as well as the spirit of sportsmanship on the part of the minority party or parties, is a *sine qua non* of democratic practice.

Furthermore, this contention lays a sordid emphasis on the distribution of the spoils of office, which is today the bane of African political leadership, rather than on devoted service to the people. But until African political leaders realize that they are in office to serve their people selflessly and not to foster their selfish ends, they will for ever complain that 'the winners take all', and the African States will know no political stability or economic prosperity.

FOURTH: It has been argued that the division created among the people by the operation of a multi-party system, tends to slow down governmental actions, and hence the rate of progress. Whilst the members of the majority party are striving with might and main to accelerate the rate of progress, those of the minority are doing their very worst to discredit them, and to pull everything down—all in the name of democracy. Whereas, if all shades of political opinion belong to the same party, they will march in undivided formation towards the same goal. The most effective answer to this contention is what we have said under the third argument above. In addition, there is no evidence thus far that those States in which the one-party system is in operation have made any significant progress because of their adoption of such a system. Besides, it is on record that out-

standing multi-party democracies, like the U.S.A. and the Common Market countries, have not fared worse, in material progress, than the equally outstanding one-party 'democracies' like the U.S.S.R. and Yugoslavia.

FIFTH: It has been contended that socialism and the multi-party system do not mix, and that in any untrammelled conflict between the two, it is the multi-party capitalist system that wins. It is argued further that because of the competition which goes on amongst various political parties, the multi-party system is essentially the capitalist political system. We have six observations to make in answer to these contentions. Firstly, experience in all theatres of human activity has shown that it is much safer to allow your opponent to come into the open and deal with him, if you can, according to the rules of democracy, than to drive him underground from where he may spring a deadly surprise on you. The multi-party system brings all opponents and their views into the open where they can be dealt with in greater certainty and assuredness. Secondly, contest is indispensable to growth and to sturdier evolution. All the creatures in the world today are what they are because they have successfully met the incessant contests to which nature and their environments have challenged them. Fear of opposition, or resentment to criticism, is eloquent evidence of a sense of inadequacy and insufficiency on the part of those who constitute the Government of the day. Thirdly, it is our candid view that the amount of money and energy expended in suppressing opposition is far more than will be required to deal effectively with its confrontation in public. Fourthly, while there may be some excuse for the forcible suppression of opposition to socialism in the countries of Eastern Europe, there is not an iota of excuse in most countries of Africa, where capitalism, the propertied aristocracy, and the indigenous capitalists are still in their embryonic or seedling stages, and where the masses of the people and the majority of the educated elements are decidedly socialist-orientated. It would be suicidal not to employ the most powerful and up-to-date gun in tackling a herd of elephants. But it is folly of the most ridiculous kind to use a keg of gunpowder to kill a fly. Fifthly, socialism, as a normative social objective, is inherently superior to and more attractive than capitalism.

Granted the right type of leadership, it will hold its own in a multi-party system more admirably than in a one-party system. Finally, there is as much competition among various groups in a one-party socialist country as there is in a multi-party capitalist State. The only difference is that in a one-party socialist State, the competition can be far more ruthless and deadly.

SIXTH: With particular reference to Africa, it has been suggested that the masses of the people are not sufficiently enlightened to exercise the vote and choose rightly between two or more contending political parties. They are too backward and too ignorant, so it is argued, to appreciate or comprehend, during an electioneering campaign, where their best interests lie. Very well; then they deserve whatever Government they get! Under the principles which we have taken so much care to propound, we are of the considered opinion that it is not only wrong but criminal for any person or group of persons, either by force or stealth, to impose their will on, or substitute their wisdom or discretion for that of, the people. Our own careful study of the political circumstances obtaining in Africa has led us to the conclusion that, given honest and unselfish political leadership—which is what Africa now badly needs—the masses of the people are quite capable of exercising sound political judgment. The masses of the people do keenly feel and know their own needs and wants, and can understand any plan designed to meet these needs and wants, if it is carefully and sincerely explained to them. They also know, often intimately, the various individuals who present themselves for election on the platforms of the different political parties. The ability, character, and antecedents of such individual candidates are open books to them. But in spite of all this, they may still be deceived or bribed by unscrupulous politicians to make the wrong choice. If this is done, we have no right to lay the blame for the unpleasant results at the door of the masses. We should instead condemn the political leaders who, for selfish ends, have deliberately misled the masses into voting for the wrong persons. In this circumstance, it is the political leaders that are unfit for democracy and for the role which they put themselves forward to play. It is unfair to blame the simple unsuspecting African voter who, because of his extreme poverty, is unable to resist the offer of a gift, in kind

or cash, in return for the effortless act of putting a paper into a box.

The truth is bitter, but it must be told, that, so far, Africa has produced more self-seeking leaders than public-spirited ones. Even African civil servants and judges are just as bad. But, thank goodness, the masses of the people remain largely unspoilt and uncorrupted, and are developing fast the technique of differentiating gold from lead and real metal from dross. What is more, they have begun to show their preparedness for very rough action against any political leader who may be caught in the game of public trickery and fraud. But if we are to put an end to the political instability and lack of economic progress which result directly from the evil doings of African political leaders, we must devise some objective means by which their tenure of office can be restricted within honest and unselfish limits. Indeed, the means devised must be such as will compel them always to hold themselves out as the servants and *not* the masters of the people. In this connection, a rigid code of conduct, written into the constitution, is imperative. In all civilized countries such a code of conduct is usually left to the best judgment of political leaders. But the African political leader has shown that his best judgment in this kind of matter is the most contemptible and abhorrent. The total outlawry of the one-party system is also imperative, because it breeds tenacity of office, corruption, despotism, and social instability.

As we have noted earlier on, there are three organs of government: Executive, Judicial, and Legislative. We have previously demonstrated that these organs are present and discernible in the administration of the affairs of the family unit, and that they are all concentrated in the hands of the *paterfamilias*.

Here again, it is easy to appreciate that the concentration of all these organs in the hands of one man in a State is bound to lead to tyranny. The holder of such powers is certain to wield them in favour of some—especially his own children, relatives, and friends—to the prejudice of others. In any case, he cannot be expected to have equal affection or consideration for all the members of the community as a *paterfamilias* would for all the members of his family. Indeed, the possession of all these powers would be more likely than

not to corrupt him to the extent that he would become a veritable menace and object of hate to the majority of the people in the State. It was because Plato was keenly aware of these dangers that he proposed a 'philosopher-king' for his *republic* which 'is not of this earth'. Even Hobbes was not unaware of the dangers of concentrating power in the hands of one man. But he had thought that only a Leviathan could effectively reconcile the violently conflicting interests of the solitary, poor, brutish creatures that he had in mind. As such creatures never existed and will never exist, Hobbes' invention of the Leviathan was both irrelevant and uncalled for, and his defence of absolute monarchy or kingship, or of Might being Right, is untenable and without foundation.

However, since no family which entered into a union with another would voluntarily submit to tyranny or the rule of a Leviathan, and since it is not possible to have on earth here a 'philosopher-king' of Plato's conception—a king who will be so rigorously educated, impersonal, unselfish, and public-spirited as to be absolutely free from any trait of partial affections, and love all his subjects equally—mankind has evolved a system by means of which the organs of State operate independently of one another.

For instance, the devices have been adopted whereby: (1) persons who are entrusted with the functions of each of the organs are separate and distinct; that is to say, no government functionary will belong to more than one organ; (2) one organ as such will not perform the functions of the other organs; that is to say, the Executive, for instance, will not perform the functions of the Legislature, even though the same persons are members of both; and (3) one organ will not control or interfere with any other organ in the latter's performance of its functions; that is to say, all the three organs will be independent of one another in the exercise of their allotted functions, so that the Executive, for instance, will not control or interfere with the Judicature. In constitutional parlance, this type of arrangement is known as separation of powers.

From the time of Locke and more especially since Montesquieu, political philosophers have extolled the virtues of separation of powers. By making the three organs of State independent of one another, it is possible to provide checks and balances among them,

and avoid the dangers which arise from the concentration of powers in the hands of one man or one group of men. In this way, arbitrary rule is precluded, and the fundamental rights of the citizen are assured. In other words, separation of powers is not just an abstract doctrine or an academic legalistic formula; in practical politics, it is a most potent means to the outlawry of tyranny, and the enthronement of democracy.

Before we pass on to the next topic, we would like to emphasize some of the peculiarities of these three organs. For reasons which we have sufficiently elaborated, the members of the legislative and executive organs are subject to periodic elections. In other words they are subject, for their continuance in or removal from office, to the periodic good sense, whims, and caprices of the electorate. But the judicial organ is not and must not be subject to the same treatment as the other two organs. In order that they may perform their pre-eminent and sacred role as impartial arbiters in all disputes and matters, the members of the Judicature must be absolutely free from the effects and taints of political manœuvres. This is more so in a country with a Federal Constitution. Because, apart from disputes or matters between individuals, between a State or Central Authority and an individual, there will also be those between State and State, and between Central and State Authorities. If in all these, the judges are to be seen to dispense justice impartially in addition to actually dispensing it, then their appointment, promotion, conditions of service, and tenure of office must be free from any semblance of control or influence by one or more of the rivalling political parties.

In these days, judges need thorough training and extensive experience to qualify them to adjudicate on the many complicated matters, and interpret the multitude of tangled legislations that come before them. If the office of a judge is to provide any attraction to the best in the legal profession, it must provide security of tenure as well as congenial conditions of service. In other words, judges must be treated differently from, and with better consideration than, the politicians.

The same thing goes for public servants. In these days, the members of the Legislature, Executive, and Judicature cannot

discharge their allotted functions successfully without the active collaboration of a large number of public servants. They too must be properly trained. They must be very competent and experienced in their chosen fields. To ensure the continuity of the public services, they must have a permanent career which old age alone, usually prescribed by law, may terminate. Because of their special training and expert knowledge, they are expected to advise the members of the Executive in the process of policy-making, and to assist them in executing such policies as have been approved by the Legislature or some other appropriate Agency of the State. In tendering advice, they must be objective and fearless; and in carrying out Executive decisions, they must be free from any tinge of partial affection. Otherwise, the public services of the State will suffer from inefficiency and immorality, and will, in consequence, provoke widespread disaffection among the people.

For all these reasons, the appointment, promotion, conditions of service, and tenure of office of public servants should also be free from political control or influence.

By definition, the existence of aims and objects to be pursued is an inseparable attribute of a State.

If the State and the nation are co-extensive, the absence of aims and objects will lead to ever-recurrent discontent, instability, and public turmoil. The danger of disintegration and fragmentation will also be present, but the tendency to cohere among the various units which compose the nation-state will prevent such disintegration from becoming permanent. In the course of time, a Bismarck or a Garibaldi will appear, to weld together and unify the disintegrating units by infusing into them a sense of national purpose and direction.

On the other hand, if the State is multi-national or multi-lingual, the want of specified aims and objects of a sufficiently uniting character will lead to permanent disintegration among the nations which constitute the State. This tendency to disintegration can be mitigated and relieved to a great extent if, in the course of a sufficiently long period, the nations concerned have developed strong sentiments for political togetherness. This counter-force would be very much strengthened, if, though the aims and objects are not stated, the members of the multi-national State are aware that greater

advantages and benefits are accruable to them in unity than in disintegration.

Any attempt to keep the nations in a multi-national State together, under conditions where the State has no specified aims and objects, will undoubtedly generate discontent, instability, and public disorder, much worse than will be the case in a uni-national State.

It must be emphasized that it is not enough to have aims and objects. The aims and objects must be of such quality and character as will evoke an abiding sense of patriotism and loyalty from the citizens of the State, and must be such as will, in their execution, benefit all the citizens substantially and without exception.

It is common knowledge that no partnership, or club, or human association of any kind, will last for long if its affairs are conducted in such a manner as to benefit only a few of its members.

It is true that in contradistinction to a voluntary human association, the State has at its disposal a plenitude of coercive instruments to compel obedience as well as adherence even in the face of the worst possible form of social injustice. But if political history teaches anything at all, it is that, in the long run, the efficacy of coercive instruments, in the face of extensive and persistent social injustice, is completely negative.

The primary aims and objects of a State are defence against external aggression, cessation of mutual hostility among the units composing the State, and the maintenance of internal order and security. These, as we have noted, are the compelling objectives which had, in the first instance, brought separate and autonomous families or aggregations of them together in one united community. Apart from these military and peace-regarding objectives, there were also social objectives. There was the need for exchange of goods; and there were the mutual economic benefits which could be procured only by means of division of labour. All these objectives are not static. Indeed, they are particularly dynamic. Before a State has fully achieved a given set of social objectives, new social needs which clamour for immediate satisfaction have arisen.

As a matter of fact, it may be said that, these days, the military and peace-regarding objectives of a State are not so prominent and strictly relevant as they used to be.

The fatuity and futility of aggression has dawned vividly on all the States of the world, including those of them that are actual and potential aggressors. In spite of South Vietnam, it is obvious that the countries of the world are learning hard, fast, and truly, to live without war. Besides, it has been known from time immemorial, that a large association of human beings, such as is found in a nation-state or multi-nation State, is not essential to the maintenance of internal peace and security. In fact, the smaller the unit of State, the easier and more effective is the maintenance of internal order and security.

In any case, the citizens of underdeveloped countries dread the secular siege of poverty, with its attendant scourge of ignorance, disease, and hunger, more than they do the overt or covert threats of an intending war-like aggressor. Furthermore, most of them have little to lose from internal disorder. And it will, I think, be generally agreed that the more prosperous a State is, and the more equitably and justly distributed its wealth is, the less liable it is to the danger of internal disorder, and the more able it is to discourage external aggression.

It follows, therefore, that in addition to the afore-mentioned primary aims and objects, a State must have bold and inspiring economic and social objectives which will be pursued in such a manner as to benefit all the citizens justly and substantially. In Chapter 8, we will take up the point as to whether or not it is better for such economic and social objectives to be capitalist or socialist in orientation. For the time being, we would like to state, categorically, that it is most unsafe for an underdeveloped country to rely wholly on the capitalist approach to the accumulation of wealth and its just distribution.

An underdeveloped country has a yawning gulf of extreme poverty to bridge and cross before it can start on the long and arduous journey which leads to the delectable goal of a per capita income equal to one-quarter of the per capita income in the United States, to make it qualify as a developed country. This is a formidable task which calls for bold and meticulous planning, and fearless execution. But, as we all know, capitalism as a spouse has never taken affectionately to a planning husband.

At any rate, in order to ensure peace, stability, and permanent integration among its units, an underdeveloped country must declare, in its constitution, economic and social objectives which are bold, inspiring, and variegated, and which are telescoped into a shorter period of time than any developed country will care to attempt.

All that we have said, thus far, with regard to objectives would appear to savour too much of *real-politik*. We are certainly not forgetful of the teaching that 'man does not live by bread alone', which is the same as saying that the non-material aspect of the aims and objects of a State is equally important.

If we may repeat the analogy which we have made before in another form, we will assert that no partnership, or human association of any kind whatsoever, will last for long if the officers in charge are in the habit of invading and trampling on the rights of other members and subjecting them to indignity or inhuman treatment.

Every member of any human association has rights, intangible though they are, which are sacred and inalienable, and which must be protected against any invasion, at all costs. In a State, such rights are more carefully and elaborately spelt out, and are termed FUNDAMENTAL HUMAN RIGHTS. These rights are also regarded as INALIENABLE because they are inherent in, NOT acquired by, man. Only acquired rights are alienable. In order, therefore, to discharge one of its primary functions of maintaining internal order and security, and to ensure its own solidarity and survival, every State must recognize, and guarantee to all its citizens, the fundamental rights of man. The only restraint which is permissible is that which is required for the purpose of ensuring due respect for the rights and freedoms of others, and such as is necessitated by war, emergency, epidemic, or the execution of a judicial decision.

In some developed countries, these rights are recognized as a result of immemorial customs, and the Courts scrupulously enforce them as such.

Experience, however, has shown that in underdeveloped countries, these rights must be fully set out and entrenched in a written constitution, if they are to have any chance at all of due recognition and enforcement. But experience has also shown that where, in any

country whether developed or underdeveloped, these rights have not been duly recognized, protected, and enforced, people have resorted to self-redress, leading to large-scale violence, bloodshed, and killing.

It is, therefore, of exceeding importance that in every written constitution, fundamental human rights should be entrenched, and provisions for their inviolable protection and impartial enforcement should also be clearly set out and entrenched.

Since Plato, political philosophers have asked the famous and perennial question: What is the State and why do men obey it? Three different answers have been proffered under the three well-known theories of State: the Organic Theory, the Mechanistic Theory, and the Class Theory.

Political philosophers like Plato, Aristotle, Rousseau, Hegel, and Green belong to the Organic School. They hold the view that the State is an organism like a man's body, and that every citizen is like each member of the body. The Government as the State is to all the citizens what the head is to all the organs of the body. Hobbes and Locke are the great exponents of the Mechanistic School. They believe that the State is a Machine constructed by man to enable him to enjoy on earth those benefits which Nature does not provide, and which can be provided only under the State. Hence Hobbes' *Leviathan*, and Locke's *Social Contract*. The Class Theory of State was first propounded by Marx, later followed by Lenin and others. The exponents of this theory regard the State as the outcome of a class war. The proletariat, after a long and bitter war with the bourgeoisie, overthrew the latter, and established a classless society in which the State, which was formerly an instrument of capitalist oppression and exploitation, is now the means by which the proletariat or the working-class cater for themselves, on the principle of: 'From each according to his ability and to each according to his need'.

The protagonists of these three Schools declare that men obey the State for the reasons already stated: that is, respectively, because every citizen is a member of the organic body politic, of which the State is the head; because every citizen is a party to the *Social Contract* entered into either by all the people with one another, or

between the people on the one hand and the Leviathan on the other; and because all the proletarians belong to the same class of non-exploiters.

Anyone who has had the patience and the indulgence of reading this chapter thus far will see that we do not at all belong to the first and the third of the three Schools mentioned above, that we completely reject Leviathanism, and that our adherence to the concept of the Social Contract is only to the extent that we have sufficiently and clearly demonstrated in this chapter. None the less, there are a few comments which we would like to make on these theories of State.

The Class Theory implies that people obey the State partly because they are in power and in control of the State Executive, and partly because they are coerced into doing so. The class in power—whether bourgeois or proletarian—obeys the State by reason of its common interests, so that those interests may remain protected against the oppressed class.

In our view, this explanation is untenable even on its own grounds. If, as the Marxists hold, 'all history has been a history of class struggles', then it follows that the class which, for the time being, is being exploited, dominated, and oppressed will only temporarily suppress its disobedience and defiance of the State under the control of the exploiting, dominating, and oppressing class, but will never truly obey it. As the struggle progresses, a time comes when the oppressed class become strong enough to exhibit their disobedience openly, and overthrow the oppressing class. Even when the dictatorship of the proletariat, which the Marxists envisage, has been established, and the State is used as an instrument for the coercion and oppression of the *bourgeoisie*, it stands to reason that the latter will still, in their heart of hearts, not obey the State, however ostensibly they may appear to do so.

Both the Organic and Mechanistic Theories err on the fundamental ground of using the words State and Government as synonymous. We have previously defined the State as an 'Association of human beings, whose members are at least considerable, occupying a defined territory, and united with the appearance of permanence for political ends, for the achievement of which certain governmental

institutions have been evolved'. We have also defined Government as: 'The body of persons charged with the duty of governing a State'.

From these definitions three inferences are irresistible. First, the analogy of the State as an Organism is fundamentally erroneous and untenable, because the State, as defined, just cannot be an Organism. Second, men do not obey the State: it is the Government they obey. Reason: without the Government, the State, at rest, is nothing but a passive and inert entity; and, in action, it can only, at its best, be a chaotic and mutually destructive association of people. It is the Government then, we repeat, that the people obey. Third, people obey the Government not for its own sake but because it is they that charge it with the duty of governing the State which is their own association. Indeed, men obey the Government more or less in the same way as they obey the Executive of their Club, their Religious Authority, their Party Executive, and their Board of Directors. The only difference of course is that the Government is vested with unlimited coercive instruments with which it enforces its directives. At the same time, it must be pointed out that, even though the clubs, Religious Authorities, and Company Boards of Directors do not have the same sort of limitless coercive instruments, they do have sanctions by means of which they discipline their members and keep themselves permanently integrated; and occasionally, they do avail themselves of the coercive powers of the Government.

If the State is as we have defined it, why is it then that men do not dissolve it as easily as they dissolve their clubs, Partnerships, Companies, etc.? There are two important reasons why, except in very extreme cases, people do not treat the State in this way. First, the dissolution of the State would more likely than not lead to its fragmentation into family units. As we have seen, the family unit is a precarious and non-viable organization. Furthermore, it can be established from historical happenings that even a small aggregation of families is never as viable as a very large aggregation. Indeed, present-day events proclaim and testify most loudly and faithfully that the larger the aggregation the better for the people concerned. Second, sentiments do die very hard. Whenever a people, after very many generations, have developed sentimental attachment to any

given Association—be it a Club, Partnership, Religious Organization, Political Party, or State—it is well-nigh impossible to get them to agree to dissolve such an Association, except in very grave circumstances. Patriotism and loyalty are psychological and hereditary phenomena, pure and simple. They do not arise because the relationship of the citizen to the State is analogous to that of the organ to the organism, or to that of a mechanical part to the machine. When the State is unilingual, it is presumed, without fear of contradiction, that the sentimental attachment of the citizens to one another because of language, must have begun with the emergence of *homo sapiens* himself. Any suggestion or attempt by any section of the people to dissolve such a State is bound to provoke the utmost resistance, hostility, and violence on the part of the majority of the citizens of such a State. Multi-lingual States, not Empires, are comparatively recent innovations which date back to the latter part of the eighteenth century. Even so, as soon as the citizens develop a strong sentimental attachment to a multi-lingual State, it becomes very difficult to dissolve it; and any attempt at dissolution is also bound to provoke violent resistance.

It must be pointed out that people are far from being conscious of these reasons, in their action to preserve the corporate existence of the State. Over the years, or the centuries, the reasons have become subconscious. Hence they operate so powerfully to drive and motivate loyal and patriotic citizens to go to the extremity of laying down their dearest possessions—their lives—in the defence of the integrity, sanctity, and unity of the State.

¹ Salmond: Jurisprudence. (9th edition, page 165.)

² Keeton: The Elementary Principles of Jurisprudence (2nd edition, page 30.)

³ Wade & Phillips: Constitutional Law. (page 1.)

⁴ J. S. Mill: A System of Logic.

⁵ Aristotle: Topics, Book 1, Chapter 12.

The Forces at Work

THE PRIMARY OBJECTS of a State are the maintenance of internal order, and the prevention of and resistance to external aggression. But the ultimate aim or purpose of a State is much more positive and comprehensive. As we have seen, the purpose which impels family units to prefer aggregation to isolation is to enable its members to enjoy the fruits of their labour, and to live a full and happy life, including the enjoyment of fundamental human rights. Furthermore, it was to enable them to benefit from the inherent advantages of: (i) division of labour; (ii) exchange of goods; and (iii) the increased productivity and higher standard of living which automatically arise from (i) and (ii).

The enjoyment of all these benefits must depend on a number of factors, chief among them being: (i) the manner in which the totality of the wealth of a State is produced, exchanged, and distributed; and (ii) the form of Government under which the citizens are administered. We have dealt with the principles of the latter in Chapter 5. We will now deal with the former.

One of the first things which the contracting families must have done was to demarcate and delimit the area of land which each family claimed or could successfully assert as belonging to it. For be it noted that, granting the absence of forcible expropriation by a conqueror, whether in the era of hunting and of extensive search for food from place to place, or in the period of domestication of animals, and of agriculture, each family would undoubtedly see to it that it appropriated as much hunting ground, fishing water, food- and fruit-growing areas, and pastoral and farming lands to itself as were judged adequate for its subsistence and survival. Each family would produce what it could on the areas of land under its control, with each member of the family specializing in what he

could do better than the rest of the family. If each family produced for its own consumption all that it needed and most of what it wanted for a decent living, no problem of exchange or distribution would arise.

There is no doubt, however, that as time went on, the co-existing families discovered that some members of one family did certain things better and much more cheaply than the others, so that there would be mutual advantages in the exchange of goods, each family concentrating on what it was best fitted to do.

If such exchange of goods as was therefore necessary took place directly between the producers and consumers, and granting that the basis of exchange was equitable, and there was at the same time a double coincidence of wants, not much of a problem would arise. But when these assumptions do not hold good; when exchange becomes some stages removed, remote, or anonymous, as between the actual producers and consumers, and money is introduced as a medium of exchange, then important problems of exchange and distribution arise.

It must be borne in mind, however, that the problems of exchange and distribution are strictly connected with, and arise directly from those of production. If it were possible to contrive a situation in which production did not take place at all, then there would be no problems of exchange and distribution. Similarly, if all the things that man needs and wants were as plentiful as air, even the problem of production would not arise.

It becomes quite clear, therefore, that the impetus for production is consumption. We may put this in another way and say that the sole object of production is the satisfaction of man's needs and wants, which are the objective manifestation of man's desire for consumption.

From this brief analysis, we find ourselves face to face with the problems posed by the four well-known departments of economic science, namely: Consumption, Production, Exchange, and Distribution. It is in the effective and successful solution of these problems that man can enjoy the fruits of his labour and benefit from the inherent advantages of: (i) division of labour; (ii) exchange of goods; and (iii) the increased productivity and higher standard of living made possible by (i) and (ii). Indeed, it is in the effective and

successful solution of these problems that, in a material sense, man can live a full and happy life.

We will, therefore, proceed now to consider the problems of Consumption, Production, Exchange, and Distribution. Specifically we will consider what these problems are, how they arise, and how they are solved. In this consideration, we will take these four departments one by one.

CONSUMPTION. Consumption is defined as the satisfaction of human wants. Human wants, on the other hand, can be grouped into three categories, namely: Necessaries, Comforts, and Luxuries.

Necessaries are things without which life cannot be maintained; indispensable things; requisite and desirable things not generally regarded as comforts or luxuries. Food, clothing, and shelter, of such quantity and quality as make for a reasonably decent living, are examples of necessities.

Comforts are things that make life easy. Fashionable food, including alcoholic beverages, and fashionable or festive dress are examples of comforts.

Luxuries consist of choice or costly food and dress, prestigious shelter and furniture, and, in general things desirable but not indispensable. Examples of these abound.

To live at all, man needs air, water, and food. He must breathe and eat to live. The hazards of living are considerably reduced by the over-abundant provision of air by Nature. Man cannot live for more than a few minutes without air. He can only survive for a few days without water. And he also needs clothing and shelter for a reasonable degree of decent and happy living. This is not all. He must marry and procreate children. Nature urges him to do this. And until his offspring are grown up and strong enough to fend for themselves, he must feed, clothe, and shelter them. He must educate them to the best of his means and ability, and he must take care of them, just as of himself and his spouse, in times of sickness or disability arising from any cause.

It is easy to discern that the motive of all human activities is the desire to satisfy these needs of man, of his spouse, and of his offspring, and that within and beside the ambit of his basic needs for

water, food, clothing, and shelter there is an infinity of wants. There is a large variety of water, food, clothing, and shelter from which to choose for the satisfaction of his wants. This variety increases with time and with advancement in civilization, science, and technology. With time, tastes and fashions change, and the whims and caprices and eccentricities of the opulent classes create new ranges of wants as well as what the economists term 'the paradox of value'. What are regarded as comforts and luxuries in one epoch respectively become necessities and comforts in the succeeding era; and so on and so forth.

Besides, the more a man has of a given commodity the less of it he desires. This being so, he most scrupulously sees to it that he does not have a surfeit of one thing, whilst he completely goes without another which he also desires.

Furthermore, in addition to his material wants, man also has need to polish his mind and improve his capacity to think. To this end, he engages in intellectual pursuits, religious devotion, philosophical speculations, scientific explorations, and many other mental and spiritual adventures. Each of these pursuits is a life-time venture in itself; and in order to avoid monotony, man tries to diversify his interests as much as possible. It is common knowledge that, for all the infinitude or multitude of his wants or ends, the means at his disposal for their satisfaction are limited and have alternative uses.

It is clear from what we have said, therefore, that man's problem in the satisfaction of his wants resolves itself into the issue of choice: choice from an infinity of ends in order to achieve an equilibrium between these ends, having regard to the limited means at his disposal. And this problem arises simply because man wants this infinity of ends, in spite of his awareness of the fact that the means at his disposal are limited and have alternative uses.

There is only one way of solving the problem. The means at man's disposal must be organized for the production of the things that he requires for the satisfaction of his wants. Which brings us to a consideration of the problems of production.

PRODUCTION. Production is the provision of those things which are required for the satisfaction of wants at such time and place, and

in such form as would satisfy those wants. In other words, the problem of production is the provision of goods in such form and at such time and place as would satisfy man's wants.

If all goods—food, clothing, shelter, etc.—were over-abundant and available at all times and in the requisite form, like air, there would be no problem of production.

No man or family can produce all the foodstuffs that it requires for his feeding all the year round in its garden or farm; much less produce, in the same areas of farmland, the raw materials for making pieces of cloth or building a fairly decent and tenantable house, and by itself turn them all into finished goods.

Apart from ripe fruits, there are very few foodstuffs which can be eaten as Nature provides them. If a man grows cassava or yam and wants to eat gari or yam flour, he must put cassava or yam through processes which require skill and time to bring about the desired transformation. But neither cassava nor yam can be produced all the year round. Nature herself imposes this limitation.

Then there are specific parts of the earth where alone certain things can grow, or certain animals can be reared; there are places where certain items of goods can be produced more efficiently than in other parts. If you live in Britain and you want to consume cassava or yam, it must be brought from distant countries.

The whole of this business is complicated by the fact that what is produced must not only be such as to satisfy the wants of man, generally speaking, but must be desired by the multitude of individual consumers with their ever-changing tastes, fashions, whims, and caprices. We must hasten to qualify this proposition. It can be stated in general that man's tastes in regard to necessities, as we have defined and illustrated them, hardly change. For instance, for purposes of individual tastes and fashionable consumption, different persons at different times put cassava or yam through a large variety of forms and preparations. But the desire for cassava and yam persists in all Nigerians through changing times. It is clear, therefore, that even while the taste for cassava and yam *per se* remains constant, the tastes for the various forms and preparations to which cassava and yam can be converted change with individuals

and with times. And changes such as these only tend to complicate production problems.

Furthermore, the satisfaction of man's wants, with a view to making him happy and able to live a full life, depends on the quantity, quality, and composition or range or variety of the goods produced. And as we have noted before, through changing times the comforts and luxuries of today become the necessities and comforts of tomorrow.

The resources which are at the disposal of man for producing the things he wants can be grouped under four heads as follows:

- (i) Land.
- (ii) Labour.
- (iii) Capital.
- (iv) Entrepreneurship.

The four are known as the agents or factors of production. But before we go further, we should endeavour to define and describe the characteristics of each of them.

(i) 'By Land is meant the materials and the forces which nature gives freely for man's aid in land and water, in air and light and heat' (Marshall). In short by land is meant all the natural, other than manpower, resources which are available, without man's agency, on, in, and above the earth.

(ii) By labour is meant all the available manpower resources. Marshall's definition of labour as 'the economic work of man' is not apt. It deals with the result of labour 'whether with the hand or the head', rather than with labour *per se*. For, if Marshall's definition were correct, then it would be grossly erroneous to speak of idle or unemployed labour.

(iii) By capital is meant that portion of the product of the active union of land and labour which is set aside for the purpose of aiding further output from a similar active union. Economists are content with defining capital as 'wealth that is used to produce further wealth'. But wealth, it must be emphasized, is the offspring of the fruitful marriage of land with labour.

(iv) By entrepreneurship is meant that kind of labour which specializes in the organizational and managerial aspects of production.

Many economists do not regard the entrepreneur as a separate agent of production. Time was when the entrepreneur was the proprietor of his own business and hence of his capital. But, in most cases, this is no longer so. Most entrepreneurs are now employees of owners of capital who themselves know nothing at all about the organization and management of the enterprises from which they derive substantial interest rates and profits. None the less, we will, throughout this discourse, treat the entrepreneur as an agent of production in the manner in which we have defined him.

The problems of production are solved by the entrepreneur, in skilfully and efficiently mobilizing and co-ordinating the other three factors to ensure that the right quantity, quality, and variety of goods are available to the consumers when and where required and in the form desired. In other words, the entrepreneur must blend land, labour, and capital with one another in such a proportion as will produce the maximum possible results. Granting his own expertise, the supreme and overriding objective of the entrepreneur is to so organize his production activities as to make each of the other three factors give of its very best. He must do more than these. He must ensure that more is produced than is required for immediate consumption; and he must ensure the increasing quantity and ever-rising quality of the things produced, to meet the ever-growing demands of a rising population with changing tastes and fashions.

In order to achieve these laudable and necessary objectives, he must extract natural resources from Nature and transform them; he must move them either in their natural or transformed state, from place to place; he must market them; and he must preserve and store them to ensure their availability during periods or seasons when Nature does not normally lend support to their primary production. These stages of production can be precisely specified and elaborated.

(i) The first stage is the extraction of raw materials and power from Nature, such as farming and agriculture of all kinds, fishing, mining, etc. This is the primary stage of production, and all those who participate in it are said to be engaged in primary occupation.

(ii) The second stage is the processing of raw materials, that is, converting them into semi-manufactured and finished goods: such

as the conversion of latex into crepe and of the latter into tyres; of cocoa into chocolate; of raw cotton into textiles; the canning of oranges, pineapples, tomatoes and the like with a view to preserving them for consumption in seasons when Nature does not lend support to their primary production. This is the secondary or manufacturing stage of production, and its participants are said to be engaged in secondary or manufacturing occupation.

These two stages would have been ample if all the raw materials required for the manufacture of goods were available in close proximity to the factories, and all the prospective consumers were also living close by the factories. But we have already noted that this is not always the case in the vast majority of instances. Therefore, in addition to these primary and secondary occupations, there are other occupations which are essential to the complete production of any goods. Here we have used 'complete production' advisedly, because goods are not completely produced until they are in the form and place where they are ready, and are accessible to the consumers, for consumption. These other occupations are as follows:

(i) Transport occupations which consist of the railways, shipping, road transport plus all the ancillary clerical, mental, and manual activities. These occupations ensure the movement of raw materials and semi-manufactured goods to factories, and of the finished goods from factories to wholesale and retail distributive centres, and sometimes from these centres to individual consumers.

(ii) Distributive occupations which consist of middlemen of various kinds including wholesalers, retailers, commercial travellers, commission agents, advertising agents, together with all the ancillary clerical and other activities. These occupations handle the marketing and distribution of goods, and ensures that they reach individual consumers.

(iii) Banking and insurance occupations which facilitate the smooth, rapid, and efficient working of the extractive, manufacturing, transport, and distributive occupations, by the provision of credit and the underwriting of risks.

(iv) Infrastructural occupations which are responsible for those services without which neither the consumers nor the producers

will be in a fit state to consume or produce; and without which society itself will be in a state of disorder, with consequent ill-effects on both the consumers and producers. These are the occupations of the doctor, teacher, lawyer, domestic servant, civil servant, members of the Armed Forces, policemen, judges, Local Government Officials, etc.

In each of these occupations, there are various industries, specialized branches, or callings. Four instances will be given in support of this assertion. In the primary occupations there are agricultural, fishing, and mining industries, each of which has a number of specialized firms. In the transport occupations there are the road transport and railway industries within each of which there are a number of specializations. Banking and insurance are distinct occupations; but in each of them there are also a number of specializations. In the infrastructural occupations, no one has so far successfully combined the profession of medicine with that of law, each of which again has a number of its own specialities.

For optimum efficiency, the entrepreneur cannot, generally speaking, specialize in more than one industry, specialized branch or calling. If one entrepreneur is in a specified branch of the agricultural or mining industry, he must, for the sake of efficiency, leave the transportation of his products entirely to another entrepreneur who specializes in an appropriate branch of the road transport or railway industry. An entrepreneur may operate through a one-man concern, a partnership, or a joint-stock undertaking.

The picture which emerges from the foregoing considerations is that of a welter of consumers versus a multitude of unco-ordinated producers or entrepreneurs. The problem thus created is complicated by the fact that each consumer is free to consume what he likes, and each producer is also free to produce what he likes, though it must be stated that both are subject to limitations which we shall discuss later. Furthermore, in order that the producer may meet and satisfy the wants of this welter of consumers and make some profits for himself, he must, as we have noted, see to it that each factor of production has a maximum efficiency. It follows, therefore, that in his particular occupation, he must, from time to time, seek to improve the efficiency of each of the other three factors with a view

to maximizing it. Let us have a quick look at how this may be done.

Land : The utmost fertility of the land must be maintained. A fertile land diminishes in quality with use; and some lands, though virgin, lack the requisite fertility. To correct these defects, fertilizers must be introduced. The fertility of the land can and must be conserved by preventing soil erosion, and by the scientific cultivation of the soil itself. Furthermore, the land must be broken and cultivated in order to make it yield its fullest increase. It must be used for what it can grow best. If a piece of land can grow rubber, oil palm, and cocoa, but can grow cocoa best, then it must be used for growing cocoa not rubber or oil palm, other things being equal. In this wise, an optimum utilization of the land will be attained.

The strain of seed or plant must be high-yielding, not low-yielding. Indeed, it must be the highest-yielding available. The seed or plant must be such as would do best in the prevailing climatic conditions. It is, for instance, crazy to try to plant cocoa or oil palm in the temperate climate, or barley in a hot tropical climate. Pests and diseases which damage or destroy seeds, plants, and animals must be identified and controlled. In order to conserve forest resources, they must be scientifically exploited; and there must be a scheme of carefully planned reafforestation and regeneration.

In certain cases, the soil may be eminently suitable for the cultivation of a particular crop, while the climatic conditions are not. In such cases it may be economical to induce the required conditions. For example, in Sudan the soil in certain parts is excellent for the growing of cotton and other crops, but in those parts it scarcely rains for years on end. So the waters of the River Nile have been used, with great success, to irrigate vast portions of these parts, under the Gezira Scheme. Similarly, where national economy, or the requirements of scientific experiments call for it, tropical crops may be grown in a temperate climate, in a hot house specially built for the purpose.

Labour : Each worker must be made fit physically, mentally, and spiritually. To this end, he must receive education in physical culture, mental development, and spiritual self-realization.

He must be educated, generally, to understand, to a reasonable extent, his surrounding and the world in which he lives. That is to

say he must understand some common earthly phenomena so that he may live his life free from fear and superstition, and be in a fit state to give of his best. In order that all these processes of education may achieve the end for which they are intended, the education of the worker or labourer, that is to say of every man or woman, must begin from childhood. Otherwise it might be too late.

In order to get the best out of him, each worker must do or must be advised or made to do what he is best fitted to do. For this purpose, his aptitude and natural bent must be ascertained at an early age, or he must be advised or induced at an early age to develop an inclination for a given career. After his bent or aptitude for a given career has been ascertained, or he has been successfully induced to develop the required inclination for a given career, he should then be given the education appropriate to that career. The career may be anything from teaching infants to doing space research. As time goes on, a person may change from one career to another or move upward in the ladder of a given career.

Once a man has received the necessary education for what he is best fitted to do, he must be induced to remain in that occupation for which he has been specially educated. This means that the wages and conditions of service in all the occupations and vocations and careers in the State must not only be comparable but must also be such as to make all the occupations in the land equally attractive. In other words, equal qualifications and merits must be equally rewarded no matter where a person is employed. In short, there must be adequate and equal incentives for every worker or labourer.

Before we pass on to the next topic we would like to make three observations. Firstly, in the matter of the education of workers we are here dealing specifically with such education as will fit a man best for the occupation or vocation or profession which he chooses to pursue. In Chapter 9, we shall be dealing with that form of education which will make a man live a happy and full life irrespective of his vocation, occupation, profession, or career. Secondly, the supreme importance of land and labour must be stressed at this juncture. As Marx has rightly declared, 'Land is the mother and labour the father of all wealth'. All wealth, of course, includes all that we consume plus all that we save or invest for the purpose of

producing further wealth. Thirdly, we would like to stress the point that we can only get the best out of land by a judiciously selective utilization of it, and the best out of a worker by a skilful division of labour.

Capital: In order to produce further wealth something must be set aside from present output for the purpose. Even a static economy or society would require capital. A community which does not want to starve and suffer extinction must set aside part of its present output for the purpose of future production. In order to maintain continuous progress, however, there must be an ever-increasing capital formation. What is set aside this year as capital must be more than what was set aside as capital last year. In other words, each year must witness a rising net capital formation.

This objective may be achieved by either consuming less this year than we consumed last year, provided output this year is the same as last year's; or by producing so much more this year that after consuming more than we did last year we are still able to save more this year than we did last year. In other words, efficient and optimum capital formation does mean producing so much more than is consumed that the difference between output and consumption in each succeeding year is greater than in the year before. Whatever happens, enough must be consumed to ensure that the goose that lays the golden egg is healthy and strong enough to continue to play its part. That is to say, the worker must have enough of necessities to consume compatible with his health and happiness, while at the same time enough is set aside to ensure an ever-increasing output. On the other hand, if the output is meagre, consumption will either account for all that is produced leading eventually to death by starvation, or be at subsistence-starvation level in order to leave anything at all for capital formation.

Entrepreneur: Since the entrepreneur is the initiator of enterprises as well as the co-ordinator of the other three factors, he must possess exceptional ability and skill. He must be able to select men and materials, and organize them for the successful achievement of the end he has in view. He must be able to assess and appraise the market, and forecast the state of demands including probable changes in the tastes, whims and caprices of consumers, in order that he may be

able to match supply with demand. In other words, he must have the gift of foresight, reinforced by the ability to collect statistical data and correctly interpret them. There are very few commodities whose raw materials can be produced immediately the final products are demanded. There are indeed many final products which take a very long time to produce to meet demand. It follows, therefore, that the entrepreneur must produce in anticipation of demand. This is a grave responsibility. Because there is always the chance that between the initiation of the processes of production to meet anticipated demand there might be a change in tastes, etc., which may falsify the anticipation, so that at that time in the future when the goods are actually and physically ready for consumption they are no longer in demand. Sometimes, however, he anticipates new tastes, and he produces what he thinks the consumers want for the satisfaction of such tastes, and then induces them by advertisement to consume his products.

It must be noted, however, that the entrepreneur's exceptional ability is partly inborn, but chiefly the result of intensive and prolonged general and specialized education, together with long experience in Administration and Management.

In order to cope successfully with changing situations in his chosen field, he must ceaselessly and tirelessly seek to improve his professional abilities.

EXCHANGE. The problems of exchange arise simply because no one man, family, partnership, or joint-stock company can produce everything it wants for itself or for the satisfaction of other people's wants. Besides, as we shall see, experience shows that greater efficiency and productivity result from specialization or division of labour amongst individuals in a society or firm, amongst firms in an industry, between one territory and another in a State, or amongst different sovereign States by means of unrestricted international trade. Hence there must be exchange if all of us are to have the quantity and quality of goods which we all desire and want for a full and happy life. Furthermore, exchange of goods becomes necessary when one of two individuals, territories or countries prefers what the other produces to what it produces itself.

In its development, a society reaches a stage when A spends all his life producing what he does not want for himself but what B wants; and vice versa. If this is always the case, then exchange is simple, provided that what A produces is precisely equal to what B produces in value. But exchange between one man and another is now far from being as simple as this. We have now reached a stage in our development when A, who works as a clerk for B, who is a lawyer, wants the things which are produced by C, D, E, F, and G, who live in Nigeria and by H, I, J, K, and L who live in Britain, America, West Germany, Holland, and Japan. On the basis of this analogy, exchange is complicated because A has no direct contact with and renders no direct service to C, D, E, F, and G of Nigeria or H, I, J, K, and L, who live in foreign countries, and all of whom produce the things he wants.

When A, the clerk, renders a full day's service to his boss, the lawyer, he expects in return a full and fair value for the day's service. In real terms, he expects to have, in return for his services, food, clothing, shelter, etc., which B being a lawyer does not produce, but which A can get from C, D, E, F, and G in Nigeria and H, I, J, K, and L in Europe, America, and Asia.

Three problems arise here:

- (i) How is full and fair value for A's services determined?
- (ii) How is it possible for A to make claims on the services of C, D, E, F, and G and H, I, J, K, and L who produce the things he wants?
- (iii) How is it possible for A to make his claims on these other persons effective?

We shall deal with (i) under Distribution, but will proceed now to deal with (ii) and (iii). The two problems posed here are solved by the introduction of money and the intervention of the middleman, otherwise known as merchant or trader.

Money was primarily introduced into political economy as a medium of exchange. When A is paid, say, £20 at the end of the month by his employer, the legal practitioner B, the money he receives amounts simply to a certificate, approved and endorsed by society at large, to the effect that A has rendered to society services

to the value of £20, and that anyone from whom he has received goods or services to the tune of £20 or less should accept in exchange the amount of £20 or any permissible and adequate fraction of it. Armed with this certificate, A can go out to the producers of food, clothing, shelter, etc., in Nigeria to get what he wants. In order to get what he wants from Britain, U.S.A., Japan, etc., all he has to do is to get the equivalents of the currencies of those countries in exchange for Nigerian currency, and then use those foreign currencies which have the same potency as Nigerian money to get what he wants from the said foreign countries.

Money does more than this. Apart from being a medium of exchange it is also:

- (i) a measure of value;
- (ii) a store of value; and
- (iii) a standard of deferred payment.

We shall, briefly, describe and evaluate these three characteristics of money before we proceed to the next topic.

A piece of yam cannot be related to 6 yards of textile unless we relate both to money. As soon as we know that a piece of yam is 2/- whilst 6 yards of textile is 20/-, then we are able to compare the value of a piece of yam with that of 6 yards of textile: the one being 1/10th of the other. Without the intervention of money it is not easy to make this accurate comparison.

If you want 6 yards of textile, therefore, and you are a producer of yam, you know exactly what to do. You must sell 10 pieces of yam in order to satisfy your wants in regard to 6 yards of textile. Money is, therefore, a measure of value and a unit of account.

The relative measure of value as between a piece of yam and 6 yards of textile is completely determined by the price mechanism with which we shall deal later. This mechanism does not concern itself with equity or fairness as to what is paid to the yam producer and the textile manufacturer. Indeed, this mechanism is so impersonal in its operations that it does not take any notice of the interests of those participating in consumption, production, and exchange.

If a piece of yam is kept for more than a few months, it will deteriorate so much that it will not be worth anything at all, not even as much as a farthing. So that if a man has 10 pieces of yam

now, and wants 6 yards of textile in six months' time, what he does is to sell the yams *now* for 20/- which he can then keep in a bank, or in some other safe place. This 20/- will keep indefinitely, whilst the 10 pieces of yam will perish long before six months are out. To this extent then, money is a store of value. But this is about all that can be said for money in this particular role. There is no guarantee that 20/- today will buy 6 yards of textile in six months' time. The price of the latter may have risen to say 21/- or more in the meantime, while that of yam may have fallen to 19/9d. for 10 pieces. In spite of this defect, however, it must be admitted that money still serves as the only dependable store of value. For, as we have noted, while 10 pieces of yam will deteriorate and even perish in a few months, and therefore be of little or no value at all, that quantity of yam sold *now* will be worth 20/- in hand in six months' time; so that with the rise in the price of textile by 1/- on 6 yards, the yam producer is much better off than he would have been if, without the intervention of money, he had kept his 10 pieces of yam for all that period.

At this juncture, one significant point is worth stressing, as we shall have cause to refer to it later in another important context. As a store of value, money has helped to fan man's greed and to inflame his propensity to cheat and to accumulate wealth and capital. Before the invention of money, a man would only take as much yam as he required for his immediate need in exchange for his own goods. The propensity to cheat in barter transactions was very limited. For, if one man tricked the other fellow into giving him more yams than he required for immediate consumption, he would only be acquiring goods that he did not need and which would in any case perish before very long. With the introduction of money, however, and with its inherent capacity as a store of value, one man can now, in the form of money, keep indefinitely, the equivalent of even one billion times one billion pieces of yam.

'Individuals who agree to receive payments at future dates must be assured that the value they would receive will not be less than at the time of the transaction. It is this quality of money which makes credit possible.' In other words, the yam producer or textile manufacturer may sell now to a buyer and agree to receive payment in say six months' time at the rate of 10 yams for 20/- and 6 yards of

textile for 20/-. At the expiry of six months, the yam producer or textile manufacturer will receive 20/- each for the quantity of yam or textile sold. By the arrival of the sixth month, however, the price of textile may have risen whilst that of yam may have fallen. But there is no doubt that in spite of this defect which is not denied, money serves as a standard of deferred payment more than any other commodity does. All commodities whether primary or secondary do deteriorate with time much more than does money.

Now when yams are produced at X and the consumers live at Y which is 50 miles or more from X, then some arrangement must be made to bring the yams to the consumers at Y or vice versa. In backward economies, the practice is for the producers in X to carry the yams on their heads to consumers in Y, or conversely for consumers in Y to go to X to buy the yams, all depending on the relative strength of supply and demand, at any given time. In developed economies, however, where division of labour is very close to its best, it is the merchant, the middleman, and other ancillary services who see to it that the yams are brought from the producers as close as possible to the consumers. The procedure is that the middleman buys from the producers and, with the assistance of the transporters, brings the yams to a point—a market-place or a retail shop—where the consumers can conveniently go and buy them without travelling more than a few yards or, at the very most, a couple of miles. There are many instances in fact where the middleman brings the yams to the very door of the consumer.

Again, the manufacture of textile may be done at B whilst the cotton used in the manufacture is grown at A, and the manufactured products are required for consumption at A, B, C, and D. Here, as in the case of yam, it is the middleman and a host of ancillary services that intervene to ensure that raw cotton is bought at A and moved from there for delivery at B, where it is manufactured into textile, which is again moved from there as finished products and made available to consumers at A, B, C, and D.

From these illustrations, those in the distributive and transport occupations are seen openly at work. Those in the banking, insurance, clerical, legal, and other such-like ancillary occupations are not so manifest in their contributions to bringing the goods—the yams

or textiles—from the producers to the consumers. But they are very much there all the same. Without the credit which the banks provide, the underwriting of risks which the insurers assume, the meticulous records kept by the clerical staff, the cure of diseases by doctors, and the drawing up by lawyers of contracts and other commercial documents in correct legal forms, industry and commerce as we now know them would be impossible.

But all these merely help to mitigate the rigour of the main problem of exchange which, in essence, remains: namely, how do we determine the equity of the exchange of £1-worth of yams for £1 worth of textile, of £21-worth of a doctor's or a lawyer's services for £21-worth of yams, textile, maize, gari, or transportation? This problem is purported to be solved by the blind, impersonal, and inequitable forces generated by the constant collision between supply and demand. If supply could be precisely equated to demand, thus achieving a state of supply-demand equilibrium, something near equity would be attained. But then there are the all-important questions of elasticity and mobility.

Elasticity of demand or supply is the degree of responsiveness of demand or supply to changes in price; and mobility of factor is the ease with which such a factor can be moved from one place or one type of production to another for the satisfaction of wants. Besides, the qualities of the goods exchanged may not be equal; though each person in the transaction will protest that this is not the case, or that he has made a better concession to the other. Apart from all this, there are a number of subjective factors which cannot be openly and objectively demonstrated, such as the value which a particular individual attaches to the products of his labour. In any case, experience has shown that it is impossible under the present method of production to equate supply to demand with any anticipated degree of precision.

DISTRIBUTION. As we have noticed, there are a number of unrequited elements in the process of exchange which must be recompensed in order to achieve equity and perfect *quid pro quo* equilibrium in exchange. Otherwise the inequity and injustice which, as we have noted, exist in the process of exchange will remain.

Those who take part in production—the agents of production—must be rewarded for their respective labour and contribution to the total output. In other words, the persons who provide land, labour, capital, and entrepreneurship must be separately and adequately remunerated. To this end, rent must be paid to the land-owner, wages to the labourer, interest to the supplier of capital, and profit to the entrepreneur. But the rent, wage, interest and profit paid to the land-owner, labourer, capitalist, and entrepreneur respectively must be regarded by each as not only adequate but also equitable and just. That is to say each of these agents must be satisfied that he has been equitably and justly remunerated *per se*, as well as *vis-à-vis* the other factors. Unless this is the case, it will be difficult to maintain mutual satisfaction among the factors as well as social equilibrium and peace within the society or societies from which these factors derive.

The aim of distribution, therefore, is to achieve adequacy of reward or remuneration for each of the factors which enter into a particular production as well as equity and peace and mutual satisfaction amongst the said factors concerning the share-out of such reward or remuneration. To achieve social equilibrium in the solution of this problem, the quantity to be distributed must be large and variegated, while the quality must be of the desired order. Granting this, the next thing to do is to fashion a yardstick by means of which the contribution of each factor can be measured and hence its reward accurately determined. The yardstick which economic forces in their blind and impersonal operations have established beyond dispute is marginal productivity. It is the marginal productivity of each factor of production which determines its value—that is which determines its individual share of total reward. In its turn, however, marginal productivity is determined by the law of value, that is by the interaction of supply and demand.

Let us see how this interaction takes place.

In the satisfaction of his wants, each consumer pursues his own self-interest. He does not care a hoot about the self-interest of other consumers. In the pursuit of this self-interest he seeks to buy in the cheapest possible market. If yam is cheaper a mile away than it is 50 yards away from his house, account having been taken of trans-

port differential, he will travel a mile from his house to buy yam. He has his scale of preferences for each of the commodities that he wants. One consumer may want 6 pieces of yam, 1 lb. weight of maize, and 6 yards of textile; whilst another wants 4 pieces of yam, 1 lb. weight of maize, and 10 yards of textile. Furthermore, the more he has of a thing the less he wants of it. That is to say, to the consumer who wants 6 pieces of yam, the value of the first piece of yam to him may be as high as 6/-, that of the second 5/9d., that of the third 5/-, fourth 4/-, fifth 2/9d., and sixth 1/-. So that the value of the sixth yam to him is only 1/-, as compared with the value of the first which is 6/-. If there is only 1 yam in the market he will pay 6/-, but if there are 6, he will only pay 1/- for each of them. On the other hand, to the consumer who wants only 4 piece of yam, the value of the first to him may be 5/9d. and that of the fourth 1/-. In economic parlance, the marginal utility of 1 yam and 6 yams to the first consumer is 6/- and 1/- respectively, and to the second consumer the marginal utility of the first and the fourth yam is 5/9d. and 1/-. It is this marginal utility that determines what each of these two consumers of our illustration actually pays for yam. But we have already noted that the marginal utility of yam to each of them depends on the quantity of yams in the market. It is clear from this brief analysis that, under the law of value, scarcity is richly rewarded, whilst plentifulness is heavily penalized.

The producer also pursues his own self-interest. He wants to get the best possible price for his yam or textile. In any case, he must always make sure that he covers more than his cost of production, if he is to stay for any length of time at all in business, without incurring excessive losses. Furthermore, some farmers are able to produce yams at less cost than others. Besides, there are a number of factors which determine or influence costs of production. The size of the farm must not be too small or too large—that is, not below or above the optimum. The land must be best suited for the cultivation of yam, and the species of yam must be high yielding. And so on and so forth.

From all this, it is clear that the average cost of 6 yams to some farmers may vary between 1/- and 9d. and to others the average cost may be as much as 1/1d. Only the former group of farmers can

come into the market and stay there to compete among themselves, with reasonable hope of making profits or at least covering costs. Furthermore, as we have seen, if the farmers bring 10 yams into the market they only get 1/- a piece; but if they bring only four yams, about 5/-; and if only two yams they get as much as 6/-. However, they never know the scales of the preferences of the consumers in advance. They have to ascertain these by a process of trial and error, from day to day, from month to month, and from year to year.

It is easy to realize that the number of consumers is unascertainable, and that their individual preferences are unrelated and unco-ordinated. But these unco-ordinated preferences do make their cumulative impact on the market, when they are translated by the various consumers into effective demand.

The producers too are many in number, and their activities also are unrelated and unco-ordinated. In their case they come into the market with what they have got. If there are more than 10 yams in the market for our two consumers, the price offered for each yam will be less than 1/-, and the farmers who produce at 1/1d. each will be unable to sell at that price. If the latter withdraw from the market, and there are only 7 yams left for sale, the consumers will scramble for the 7 yams and will be prepared to pay as much as 2/9d. This situation would encourage some of the producers who have withdrawn from the market to return, and would, at the same time, serve as an invitation to new producers to enter the market.

If as a result, only three more yams are brought into the market, the price would now go down to 1/-. In this hypothetical case both the suppliers and the consumers will arrive at a state of equilibrium—a state in which the quantity supplied is exactly the quantity demanded, at a price acceptable to both.

In all this process of collision of wills on the part of the consumers and the producers, there are times when the consumers are in a stronger position, and there are other times when it is the producers who are in a stronger position. In the case of necessities, the consumers, unless there are suitable substitutes, are more or less at the mercy of the producers. The latter could deliberately raise their price in order to make more profits; and the consumer would still have to buy in such circumstances, because he cannot afford to

forego yam, maize, and salt completely. He can reduce the quantity he consumes of these goods, but only slightly; so slightly that it is bound to be less than proportionate to the increase in the prices of these commodities. Furthermore, the prices of certain commodities may be less in certain areas, but because of inertia on his part, because of custom, inconvenience in travelling, or even lack of adequate transportation, he may be unable to take advantage of these lower prices.

Similarly, the producers may be strong or weak, all depending on the type of goods they produce. If the goods are quickly perishable, like ripe banana, they must sell at any price or lose all. If it is yam, they may be able to withhold supply for a few weeks; if it is textile, for a few years—that is if they have the wherewithal for making a living, and carrying on their businesses in the meantime. Also, the producers may be unable to take advantage of higher prices for their commodities in certain areas for the same reasons as the consumers are unable to take advantage of lower prices.

The unfairness brought about by the processes which we have been considering has impelled some consumers to get together to form Consumers' Co-operatives, in order to protect their combined self-interests. When certain classes of goods are in short supply, consumers compete amongst themselves to get as much as they individually require. But because of the presence of substitutes, because of competition amongst producers to meet consumers' demands, and because of lack of a profit motive and a number of other subjective factors, competition amongst consumers has never been stiff or prolonged. Consequently, associations of consumers have always been designed for self-defence against producers, especially those of them who are monopolists or oligopolists, and who more often than not tend to and do sometimes indulge in creating artificial scarcity of goods, in order to enlarge their profits.

Also in the pursuit of his self-interest, each producer strives very hard to out-do, out-bid, and 'out-smart' the others. More often than not, the selfish activities of the individual producers, and the struggles by each to get the better of the others, do lead to violent conflicts and cut-throat competition. While the conflicts and struggle last, any method at all is permissible. It is the end which is

selfishly sought by each producer that counts and predominates. There is little or no place for morality or clean play. In the process, many producers succumb, leaving the field to either one survivor, or a small group of survivors who now combine to protect their joint interests. The former becomes the monopolist, and the latter the oligopolists. In the main, therefore, monopoly and oligopoly typify the survival of the fittest, the strongest, or the most unscrupulous, in the violent struggle or war amongst producers. But there are certain commodities which, more than others, lend themselves readily to monopolistic or oligopolistic control. And there are still others in which it is in the interest of the public that they should be so controlled. Enterprises in which very large capital is required, and a good many public utility concerns fall within these categories.

In addition, the producers have devised means through skilful advertisement—by which they can induce the consumers to desire the things they produce for them, instead of those for which the consumers, acting independently, have preferences.

Speaking generally, in this lawless jungle the consumer is absolute monarch in the short run, and his will prevails. In the long run, however, it is the producer that reigns supreme, because he can only produce and sell if he is able to cover his cost as well as make a little margin of profit.

It is clear from what we have said that the forces which determine value, and hence the share of reward which goes to each factor of production, are very blind and chaotic. So blind and so chaotic that they favour the strong, however wicked, and discriminate against the weak, however just his cause may be. This assertion will be borne out by an examination of the relative strength of each of the factors one to another in this violent struggle, and the share of reward which the inherent and acquired strength or weakness of each factor enables it to attract from the common pool.

Land is dormant without labour: it is when labour is applied to land that the latter, generally speaking, becomes dynamic and fruitful. Capital is the offspring of the union of land and labour, and entrepreneurship is, as we have said before, a specialized kind of labour.

The supreme importance and indispensability of labour in economic activities is, therefore, incontestable. But it is this factor that

fares worst of all in the struggle for an equitable remuneration. The reasons for this are not difficult to ascertain. As we have seen, the scarcer a commodity is, the higher its marginal utility to the consumer, and hence the higher its value or price. But the more plentiful it is, the lower its marginal utility and hence the lower its value or price. Now, to the entrepreneur or employer, labour-power—that is, the application of the energy of the labourer, or labour in action—is just a commodity in the same way that raw cotton is to the textile manufacturer or yam to the yam-flour maker. If at any given time it is scarce, it will fetch a high price; and if it is plentiful, it will attract a low price. The supply of labour, however—that is, of human beings—is inseparably tied up with the motive of procreation which is absolutely independent of, and has nothing to do with economic considerations. In support of this proposition, it has been established that the poorer people are, the more children they produce; but the higher the standards of their living, the fewer.

If at any time the supply of labour exceeds demand, the marginal utility of labour or labour-power to the employer, and hence its price, will fall. In this circumstance, some of the workers will be employed at a low wage, with consequently higher profits to the entrepreneur, whilst others will be unemployed. Conversely, if the supply of labour falls short of demand, its marginal utility and hence its price will rise. In this instance, all the workers will be employed at a high wage. We would like to mention in passing that both low wages and high wages do have, in a labour-intensive economy or projects, inevitable long-term repercussions for respectively stimulating or discouraging the demand for labour. We will refrain from examining these repercussions here. The point we wish to emphasize is that the price or reward which goes to labour, or to any other factor for that matter, depends, generally speaking, on the state of its supply relative to demand. In the case of labour, in particular, we have noted that its supply is absolutely independent of economic circumstances.

Now, there are certain other characteristics of labour which differentiate it from other commodities like yam or textile, and which make it inherently weak *per se* and *vis-à-vis* the other factors.

The supply of labour is highly inelastic. Unlike yam and textile,

it takes between 14 and 15 years to produce an able-bodied worker. Labour-power is a highly perishable commodity: it is dynamic, productive, and expansive only when in use. When not in use it is merely latent and completely dormant. If a worker does not work for three days, he loses three days' labour-power, and hence three days' output and wage. He cannot retrieve these losses unless he does extra hours in the succeeding days.

Apart from unskilled labour which may be regarded as the undifferentiated form of labour, there are different kinds of skilled labour. In modern economies, every worker specializes in a particular field only, in order that his efficiency and hence his earning capacity may increase. But this specialization has its serious disadvantages. Among them is the fact that, in the same locality, one kind of labour may be in short supply attracting a high wage, whilst another kind may be in excess supply attracting a low wage. And because of specialization, the latter kind of labour cannot take advantage of the scarcity which exists in the former. Above all, since labour-power is a commodity which has to be delivered personally by the labourer himself it is extremely immobile. Because of sentiments, family connections, and plain inertia, many workers find it difficult to move from one place—especially their place of birth—to another. With the result that, from time to time, we have the strange spectacle of excess supply of labour in one locality with all the attendant hardships, while in another locality in the same country there is a short supply of labour of the same kind.

When labour is in short supply and all workers are gainfully employed, other things being equal, all is well. In these circumstances, the employers compete among themselves for labour, thus keeping up wages. But when there is excess supply of labour, the workers compete amongst themselves for employment and thereby depress wages. In order to ensure security of employment for themselves, workers do sometimes resort to self-injurious practices such as the 'closed-shop' policy, unduly prolonging the period of apprenticeship, and opposition to labour-saving devices.

The competition, amongst employers and employees alike, does sometimes become very intense and fierce. So intense and so fierce that both the employers and employees get together, as separate

interest-groups, to do something about it. The outcome is that the employers form themselves into Employers' Associations, whilst the workers organize themselves into Trade Unions, in order to protect their respective interests in bargaining against each other in matters of wages and conditions of service. In moments of desperation in the course of the ever-recurrent conflicts between employers and employees, the employers may lock out workers from their places of work—a very rare incident indeed; while the employees may choose a most advantageous time from their point of view to go on strike, a very common occurrence indeed. Each incident, when it occurs, leads to waste in the economy, which is sometimes enormous.

It is obvious, from what we have said before, that when workers are locked out, or go on strike, for any number of hours or days, the workers' labour-power, for the period of enforced idleness, is completely wasted, and can only be retrieved by working overtime in the succeeding days. It is worth pointing out in this connection that working overtime is deleterious to the health of the worker.

Land, as we have defined it, has certain characteristics which are exclusively peculiar to it. It is the gift of nature, pure and simple; and it is incapable of reproduction. Its supply is limited from the beginning of creation and cannot be increased. The so-called reclamation of swampy or water-logged areas does not amount to an increase in the supply of land: it is merely a transformation of land from one potential use to another.

Since its supply is limited, and cannot be increased, it follows that the greater the demand for land, the higher its price. It also follows that, since population always increases independently of all economic considerations, an ever-increasing demand for land with an ever-increasing rise in its price is inevitable.

Land is absolutely immobile. You cannot move it, like other goods or factors, from places of plenty to places of scarcity. Hence, other things being equal, the denser the population in a country or locality, the greater the demand for and consequently the higher the price of land in the country or locality, *vis-à-vis* other countries and localities with lighter populations.

It will be seen, therefore, that the land-owner makes no contribution whatsoever to the production and supply of land, or to the stimulation of demand for it. It is for these reasons that rent on land is regarded by economists as unearned increment or income.

Before we pass on to the next topic, we must draw a distinction between land as such, and the products of land or the things erected on land. Land is strictly the gift of nature; the products of land are also the gift of nature but their cultivation, improvement, and regular supply, year in year out, are the results of man's labour. But if a piece of land in a country or locality is eminently suitable for growing yam, it cannot be moved from that country or locality to another country or locality where the land is not suitable for the same purpose. Land has to be used *in situ*. It is its products that can be transported from place to place as the need for them arises. Buildings and other fixtures are the results of man's efforts and labour.

As we have seen, capital is formed when we consume less than we produce for the purpose of setting something aside for further production. This process of consuming less than we produce may take place in one of two ways: by deliberate or by inevitable abstention from consumption.

If a man does not produce enough to provide his necessities and comforts, he will have to consume less by a deliberate act of abstention. Otherwise, he will be faced with the danger of starvation and death. On the other hand, a person may consume less than he produces, for reasons other than those connected with further production. He may do so in order to lay something by for his old age, to prepare for the rainy day when it may not be possible for him to earn at all or as much as he used to earn owing to unemployment, sickness, etc., to have enough money to get married, to build a house of his own, to educate his children, to enable him to pay his fees in university to further his personal education and thereby enhance his earning capacity, etc., etc. He may do so for prestige and so that he may enable his heirs after him to live in idle leisure and comfort. He may by nature be a stingy and miserly person who grudges himself every little bit he consumes out of what he produces.

Abstention may be inevitable in a number of circumstances, such as:

- (i) when an employer exploits labour to his advantage, in the circumstances of excess supply of labour;
- (ii) when a businessman takes advantage of the state of supply and demand of goods, or of inertia, ignorance, and immobility on the part of the consumer, to enrich himself; and
- (iii) when a man produces or inherits much more wealth than he requires to satisfy his necessities, comforts, and luxuries.

Some individuals consume all they earn or produce. Others consume less either, as we have pointed out, by deliberate abstention or by inevitable abstention. But some people, because of indolence, inertia, lack of ambition, ill-health, etc., only work to earn enough for a meagre subsistence. Others are industrious, active, ambitious, and healthy, and are determined to work hard to earn much more than they require for a decent living. On the other hand, some people in one employment may work just as hard as other people in another employment, but may be paid much less than the latter, simply because the supply of their particular type of labour is too plentiful relative to demand, so much so that they only earn enough to keep body and soul together. Furthermore, A may grow maize on a piece of land, and B may also grow maize on another piece of land with the same acreage as that of A. A and B may have worked equally hard on their respective pieces of land. But because B's piece of land is naturally more fertile than A's, B may harvest so much maize that his output is more than he requires to satisfy his immediate needs, and so be able to put some by for future use, whilst the contrary may be the case with A who, because of the natural infertility of his own piece of land, is just able to reap enough to keep body and soul together.

It would seem from what we have said that the two causes of capital formation—deliberate abstention and inevitable abstention—are independent of any inducement. Whether interest is paid or not, these causes will continue to operate to compel savings or the formation of capital. We hasten to point out that this is not to say that there are no instances when a person is induced to consume less

than he produces. But it must be emphasized in this connection that just as there are people who will be induced to form capital or save by an attractive rate of interest, so there are those who may save less under conditions of higher rate of interest than under those of lower rate. In spite of all this, capital, like the other factors of any commodity, is subject to the law of supply and demand. And it is important to point out that, through the instrumentality of the banks and other financial institutions, capital is an extremely mobile commodity.

From our earlier description of him, the entrepreneur is a worker of exceptional skill and ability. Usually, he takes many years to educate and prepare himself for the specialized vocation or career of his choice. More often than not, he is gifted with an inborn flair and talent for such a vocation or career. For these reasons, he is always in short supply, and hence he invariably attracts large rewards which are sometimes wholly disproportionate to his contribution to the common pool. Comparatively speaking, his mobility is less inhibited than that of the ordinary skilled or unskilled worker.

Five pertinent and important observations remain to be made before we come to the end of this chapter.

ONE. We have spoken of Land, Labour, Capital, and Entrepreneurship, as factors of production, and as goods or commodities subject to the law of supply and demand; we have also spoken of the rewards which go to these factors. For the avoidance of confusion, we would like to expatiate a little further on this point, and clearly identify the sources of the rewards of these factors.

Just as the land-owner, labourer, owner of savings, and entrepreneur, are respectively on the supply side of land, labour, capital, and entrepreneurship, so the non-owner user of land, the employer of labour and entrepreneurship, and the borrower of capital are on the demand side of these factors. To these two opposing sides, these factors are goods or commodities, but being at the same time factors or agents of production, the prices paid for them are, for purposes of analysis, given the names of rent, wage, interest, and profit. There are instances when a person combines the four agencies in

himself: when he is the proprietor of his own business, owns his own land and capital for the purpose, and employs no outside labour at all. In this case, it is assumed, again for purposes of analysis, that the elements of the four classes of reward are there just the same.

The main-spring of these four classes of reward, and, specifically, of all rewards that go to all those who are employed in the six main occupations—that is, extractive, manufacturing, transport, distributive, banking and insurance, and infra-structural—is the production and sale of physical goods and commodities which in turn have their origin in the active and fecund union of land and labour. In other words, all the intricate, mighty, and far-flung superstructure of modern economy, camouflaged as it is by the dazzling and deceptive paint of monetary institutions and transactions, is erected wholly on, and sustained absolutely by, the foundation solidly laid by the fruitful and harmonious union of land and labour. Without this union, no economy can be maintained. The manufacturer, the transporter, the banker, and the insurer, the distributor, lawyer, doctor, professor, etc., who earn fat and sometimes fabulous profits, fees, or salaries, and who tend to look down on the struggling farmers, lumbermen, miners, and the skilled and unskilled workers who labour on the farm-lands and in the factories, do not always realize that without these primary and secondary producers, society would perish.

TWO: We have previously noted the functions of money. We have indeed described money as a certificate approved and endorsed by society at large, to the effect that its holder or possessor has rendered to society services to the value of the money, currency, or amount in his possession, and that anyone from whom he has received goods or services should accept in exchange the amount of money or currency which is generally regarded in the market as the equivalent of such goods or services. It is crystal clear from this description that the possession of money confers *purchasing power* on its holder or possessor. Whether the holder or possessor of money or currency comes by it by the sweat of his brow, by stealth, by cunning, by the use of his wits, or by the employment of any of the innumerable methods—honourable and dishonourable—known to the world of industry, commerce, and monetary dealings generally is beside the

point. As long as he has money, he has purchasing power. And this purchasing power is transferable and saleable for cash or kind, in the same way as any tangible or intangible commodity.

These inherent qualities of money—its purchasing power and its transferability and saleability—have almost completely blurred its primary and pristine functions as a medium of exchange, a measure and a store of value, and a standard of deferred payment.

Institutions such as Commercial Banks, Merchant Banks, the Stock Exchange, and Foreign Exchange Market are important and inseparable features of modern economy. They have been established for the purpose of dealing in money or its equivalents. Specifically, they assemble or buy purchasing powers, that is moneys or their equivalents, from all available sources, in return for a price called interest. They then sell these purchasing powers to others who need them for any purpose whatsoever—ranging from gambling to the building of a factory; from waging war to paying family allowances or building hospitals. What is essential to these dealers in purchasing power is not the social or anti-social end to which it may be put—these are immaterial. What is essential to them is the credit-worthiness of the purchaser of this power or of his guarantor. It is superfluous to point out that these financial institutions always see to it that they sell the purchasing powers at their disposal at higher rates of interest than they buy them. In this way they are able to make profits which are large and sometimes excessive.

It must be conceded, however, that by dealing in purchasing power in this way, the institutions concerned do help very much in making the wheels of industry, commerce, and business turn more smoothly and faster than would otherwise have been the case. At the same time, it must be pointed out that they do often help these wheels to turn much faster than prudence and safety demand, with well-known and disastrous consequences to which we will make more specific reference later.

In its role as purchasing power, money becomes a commodity whose value is subject to the law of supply and demand. If there is too much purchasing power in the society—that is, too much money or currency in circulation—relative to the quantity of goods and services available, the value of money will fall. Conversely, if the

goods and services available are too plentiful relative to the prevailing amount of purchasing power, the value of money will rise. It follows, therefore, that in order to prevent incessant price fluctuations and maintain the value of money, so that people's confidence in its primary roles may remain unshaken, the volume of purchasing power, or money in circulation, at any given time and at a given price level, must be just sufficient—no more and no less—for the quantity of goods and services available.

Now, the bodies responsible for putting currency or money into circulation are usually the Central Government of a country and the Bank owned by it but not run by it as a department of Government. These two bodies constitute the Monetary Authorities for a country. It is they, acting jointly, whose duty it is to make sure that there is not too much and not too little money in circulation, at any given time and at a given price-level. They must, at the international level, maintain the stability and strength of their currency, and its equilibrium or purchasing power parity with other currencies.

Their job is complicated, however, by the fact that it is not only the currency issued by them that is recognized as money. Cheques, Bills of Exchange, and Promissory Notes also perform the functions of money, and are so recognized by the business community. In some highly developed economies, these monetary instruments are used in transacting a much greater volume of business than the currency issued by the Monetary Authorities. Speaking generally then, the only thing that differentiates money from the other monetary instruments is that it is legal tender, which the latter are not.

The problem is still further complicated by the fact that the volume of money—that is, of all the currency and monetary instruments in circulation—can be increased by the speed or velocity with which money and all these other instruments change hands. If business is brisk and buoyant, and currency and other monetary instruments, which are worth £1, change hands ten times in one day, then that £1 is equal to £10 worth of currency and other monetary instruments in circulation. On the other hand, if business is dull and the £1 only changes hands twice in one day, then it has only done the job which £2 worth of currency and other monetary instruments in circulation would have done.

For these reasons, the Monetary Authorities have always had to keep their eyes intently on the monetary weather-vane. If there is too much purchasing power in people's hands, the Monetary Authorities will push up its price by raising interest rates, so as to make it less easy for people to borrow money from the Banks. They may also go into the money market themselves and buy purchasing power from people's hands in exchange for Stocks and Securities. The Government, in particular, may take the excess purchasing power out of people's hands by means of direct and/or indirect taxation. In this case, its policy would be to budget for a surplus. If there is too little purchasing power, the Monetary Authorities do the reverse by lowering interest rates so as to encourage borrowing, and by selling purchasing power in exchange for Stocks and Securities. The Government, in particular, may reduce tax or embark on large public works in order to put more money into circulation. To this end, it would adopt the policy of deficit budgeting. In addition to all this, administrative guidelines or directives may be issued to the banking and other financial institutions, in order to ensure the liberalization or restraint of credit or purchasing power, as and when necessary.

In spite of all this, however, experience has shown that, as time goes on, prices do tend continuously to rise. As we have noted, the Monetary Authorities constantly keep their eyes on the monetary weather-vane. When the volume of money and other monetary instruments shows an ominous rise, the Monetary Authorities go quickly into action, but not before. At this point in time, the harm is already done; and the best that is invariably achieved is the prevention of such a rise getting completely out of hand. The clear verdict of economic history, however, is this. When once the ascent is made, it may be reduced to a lesser degree, but it has never been possible to return to the base from which that ascent has been made. Hence, the purchasing power of £1 today is worth less than its counterpart ten years ago, and will be worth less than now, ten years hence.

Just as money is a commodity sold and purchased like other goods at the domestic level, so it is at the international level. If the price of money is higher in A than in B, people in B will tend to offer

their country's currency in exchange for the currency of A, in order to benefit from the higher price of money in A; provided of course, there was parity of exchange between the two currencies before the price of A's currency goes up, and provided also that people in B have confidence in the stability of A's Government, and in the credit-worthiness of its Monetary Authorities and other financial institutions.

THREE: If a country can produce all the things that its people require to satisfy their wants; if it can produce these things better than any other country in the world; and if its efficiency in the production of these things is equal, it will not need to trade with other countries. But this is manifestly impossible. There are, therefore, three causes of International Trade. It arises:

- (i) because a country does not produce or is unable, because of lack of the requisite natural resources, to produce all that it requires;
- (ii) because certain things which it can produce can be produced more cheaply or better in other countries; and
- (iii) because though it can produce certain items of goods more cheaply than other countries, yet its efficiency in the production of some of these items is less than its efficiency in the production of the other items.

In economic parlance, International Trade exists because every country tends to concentrate on those goods in the production of which it has greater comparative advantage or less comparative disadvantage. In other words, the real basis and *raison d'être* of International Trade is international division of labour

Trade between two countries may be straightforward barter under a bilateral arrangement. This form of trading will be successful only if, as is the case of barter between two individuals, there is a double coincidence of wants between the two countries concerned. In addition, the terms of trade between them must be equitable, and either side must not supply more or less than each requires. Again, as in the case of barter between two individuals, bilateral trade arrangement of this kind is not always a success. Apart from the obvious difficulties in the way of trading by barter,

a bilateral trade arrangement prevents the countries concerned from enjoying, to the full, the fruits of international division of labour, and constricts them in their search for, or the pursuit of the optimum in the fields of production in which they separately have greater comparative advantage or less comparative disadvantage. It is, therefore, generally recognized that multi-lateral international trading is much better than strict bilateral trading.

Whether bilateral or multi-lateral, international trading transactions are subject to the law of supply and demand in the same way as buying and selling between individuals in a country are governed by the law. And the favourableness or unfavourableness of the terms of trade, as between one country and another, will depend, other things being equal, strictly on the state of supply relative to demand as between the two countries. This statement, however, deserves serious qualification. The movement or flow of goods between one country and another is by no means free. In order to raise revenue; to protect infant industries at home; to execute national policies in relation to development, defence, and security; to achieve balance of payments equilibrium; and to act in retaliation against another country; for any of these reasons a country may impose tariffs on goods imported into or exported from its territory. It may even do more: it may totally prohibit or subject to quota-allocation the exportation or importation of certain items of goods; it may subsidize the exports of some classes of goods, and may devalue its currency in order to encourage export trade generally. When all this is done, the normal operation of the forces of supply and demand as between nations is temporarily suspended and permanently distorted. The terms and directions of trade are also seriously affected and disturbed. In these circumstances, it becomes very difficult, if not impossible, to make any intelligent and accurate forecast of the results of international trading.

If imports and exports between two countries are exactly equal in value, no problem arises. But except in isolated cases of bilateral trading agreement, this cancelling out of import-export transactions is rare. When a country, therefore, imports more from than it exports to another country, or when, in a state of multi-lateral international trading, a country which we will call A imports goods from

another country which we will call B and exports goods to a third country C, the problem of payments for the goods imported automatically arises.

If there had been one currency for the whole world issued by universally recognized Monetary Authorities, or if all countries accepted one another's currency as legal tender, payments for goods among nations would have been the same as amongst individuals in a country. But as we know, each country, in the exercise of its undoubted sovereignty, has its own currency and does not recognize as legal tender or even as valid the currency of another country.

When, therefore, A has to pay to B, he must pay either in the currency of B which A hasn't got or in some form of internationally recognized medium of exchange. In the illustration which we have given, we see that C also imports goods from A. It is possible that B also imports goods from C. In this case, one would have expected that B would accept A's currency in order to pay for goods bought from C, so that C may use this in paying for goods bought from A. But, unfortunately, this is very seldom the case. B definitely would not do this unless he has confidence in the stability of the Government of A and in the constant value of its currency. Nor unless these same conditions are fulfilled would C be willing to hold A's currency, even for a moment.

Up to the first quarter of this century, the internationally recognized medium of exchange was gold. Apart from being a medium of exchange, it also formed the basis of currency issues in all the countries of the world. The more gold a country had, the more currency it put or was expected to put into circulation; and the less gold, the less currency.

For two important reasons, however, gold has now ceased to be the only internationally recognized medium of exchange. In the first place, there is no longer enough of it available to cope with the size of payments dictated by the volume of international trading transactions. In the second place, some countries, in order that they might continue as creditor nations, refused to reflect the increase in their holdings of gold in the quantity of domestic currency they put into circulation.

Now, it is an accepted principle or rule of International Trade

that exports and imports as between countries must, over a period of time, cancel each other out. If a country continually had an increasing surplus of exports over imports, it would sooner or later face an uncontrollable inflation internally. On the other hand, if a country continually had an increasing surplus of imports over exports, apart from becoming a miserable debtor nation, it would sooner or later face disastrous deflation and depression at home.

Though international trading transactions must, as we have said, cancel one another out over a period of time, so that no country would be debtor or creditor to another permanently, yet in the short run this is not the case, and payments for current transactions must be made. As we have noted, gold is no longer able to play, single-handed, the role of the international medium of exchange. It has become necessary, therefore, to supplement gold with the national currencies of the United States of America and Britain—that is Dollar and Sterling—which are internationally recognized. The reasons for the international acceptability of Dollar and Sterling are the same. Over a long period of years, the Governments of U.S.A. and Britain have been exceptionally stable and their two currencies have shown comparative constancy in their values. In addition, the two countries are comparatively wealthier than their compeers and their trading activities are far-flung and global. There is scarcely any country in the world which does not have direct trade relations with both of them. With the exception of the currencies of the Common Market countries which are now just emerging as possible rivals, no other currency attracts anything resembling the absolute confidence which the countries of the world repose in Dollar and Sterling. As a result, there are today three universally accepted media of international payment: Gold, Dollar, and Sterling.

FOUR: As we have noted, no person, family partnership, or company can produce all that it or the community requires. We have also noted that as a result of this, and because of climatic and other physical differences, there is a division of labour among individuals in a firm, among firms in an industry, among industries, between one region and another in a country, and between independent sovereign countries. In consequence of these individual, technological, territorial, and international divisions of labour, it becomes

necessary for exchange to take place between producers *inter se*, and between producers and consumers. In this way, all the people in a society are in a position to get all that they require.

But there are other significant advantages of division of labour which are pertinent to our present discussion. Adam Smith, in his *Wealth of Nations*, 1776, gives us the classical example of division of labour in a pin-making factory. Here, the making of a pin is divided into 'eighteen distinct operations'. Because of this, it is possible for ten workers 'indifferently accommodated' to make among them 48,000 pins in one working day, an average of 4,800 pins per worker. Without this intensive division of labour, one worker doing all the 18 operations by himself would have produced one pin or at the very most 20 pins in one working day. Division of labour such as this requires education, training, and a little bit of native talent, on the part of the worker, before he can achieve dexterity and expertness. In some cases, it tends to and does in fact stimulate the inventive genius of the worker, resulting in actual invention which makes further division of labour possible. It will be seen from Adam Smith's example that division of labour makes for maximum efficiency, and for 'the greatest improvement in the productive powers of labour'. But it is now a far cry from Adam Smith. Today, as a result of scientific and technological advancement, division of labour has progressed so phenomenally that the productivity of a worker in a pin-making factory is much higher than that of the worker in that old factory of Adam Smith's illustration. Generally speaking, division of labour has been raised to such a stage of perfection that each worker, from the unskilled manual labourer to the most deft and highly qualified technician, plays only an infinitesimal but integral and indispensable part in the production of anything from an office pin to a jet airliner.

It is obvious from what we have said that the beneficial effects of division of labour go to confirm and emphasize, most eloquently, the dignity of all forms of labour. Without the unskilled workers—even the ordinary cleaners and tool-bearers—the most skilled workers cannot accomplish successfully and with the same amount of productivity and exquisiteness, their own parts in the varied and complicated processes of modern production.

It is important, however, to point out that division of labour is not an unmixed blessing. It has its disadvantages, the most significant of which is that it seriously hampers the vertical mobility of labour.

FIVE: Utility and productivity are relative terms. They denote the same concept. A quantity of raw cotton has utility for the manufacturer just in the same way as the finished textile has for the consumer. The textile manufacturer is also a consumer: in his case he consumes not the finished product but raw cotton. He also consumes such finished products—like machinery for instance—as enable him to manufacture textiles. He is, however, a consumer with a difference. Whilst to the final consumer marginal utility is measurable only in subjective terms, to the producer or manufacturer marginal utility can be measured in objective terms. He has, from time to time, to relate the marginal utility of any commodity, including labour, to marginal productivity. Which means, in simple terms, the point at which the cost of production is equal to the price prevailing in the market for the finished products. In other words, it is the consumer's marginal utility that determines the producer's marginal productivity. If the consumers will only absorb 1,000 pieces of textile of 6 yards each, for which they will pay not more than 20/- per piece, it will be unprofitable for the manufacturer to produce 1,010 pieces of textile which, because of the increase in supply, will fetch only 16/- per piece. Unless of course he is able to produce these pieces of textile under conditions of increasing returns—that is, if he is able to produce more pieces of textile at a lower cost per piece. Under these conditions, he may produce 2,000 pieces at 10/- per piece for which the consumers are prepared to pay only as much as 12/- per piece. But, sooner or later, a stage is reached when diminishing returns set in, that is, when the more he produces the higher the cost per piece.

In this illustration, we are assuming that the demand for textile is elastic. But there are instances where the demand for certain goods is inelastic. If consumers will only pay 5/- per bag when there is a supply of 1,000 bags of yam flour in the market, it will be difficult, other things being equal, to stimulate the purchase of 2,000 bags at 2/- per bag, even if it is possible to produce 2,000 bags at an

average cost of a little less than 2/-. The reason is that, other things being equal, people will just not eat more yam flour simply because its price has fallen; at any rate, not anywhere near the proportion by which the price has fallen.

The manufacturer in Adam Smith's example will only employ additional labour and other factors of production if he is satisfied that the outcome of the employment of such extra resources will be that each worker will produce as much as, if not more than 4,800 pins per working day, at the same cost per pin; and provided the marginal utility of pins to the consumers is not likely to fall as a result of the increase in the output of pins.

It will be seen, therefore, that productivity is only a word of art. It is otherwise a misnomer. Marginal utility tends to inhibit productivity. The scarcer the commodity, the higher its marginal utility; the converse is also the case. The producer who misjudges the market and produces, with maximum efficiency, a most attractive article, the marginal utility of which, to the consumers in terms of money, is much lower than the average cost of production, will very quickly go out of business. And the producer whose goods are destroyed or damaged by unforeseen mishap can only fall on the insurance companies for succour. He has no means otherwise of recouping his loss.

The Capitalist System

IN HIS EFFORTS to live a full and happy life, man has adopted two well-known economic systems, with separate and distinct polarities. They are the capitalist system and the socialist system. There are a number of other systems which, pure and simple, are admixtures or aberrations of these two systems.

In the last chapter, we have outlined the economic forces which are constantly at work in any society. Under the capitalist system these forces are given full rein; save that occasionally some sort of half-hearted, indirect and partial control and direction of the forces may be instituted by Government. Under the socialist system, however, the approach to the working of these forces is entirely different: it is usually direct, all-embracing, and quite effective in ensuring social justice to all. In the next chapter we shall deal with the socialist approach to economic forces. But in the meantime, we propose, for purposes of emphasis, complete fairness, and further clarification, to examine the significant postulates and achievements as well as the vices and evils of the capitalist system. This procedure is considered necessary in order that the claims of the socialist system may be properly understood and appraised.

The essential characteristic of the capitalist system is economic freedom, or freedom of industry and enterprise; and it has four postulates which we will call the postulates of capitalism. They are the postulates of: (1) Private Property, (2) Choice, (3) Equality, and (4) Egoistic Altruism.

Private Property: The right of the individual to own and control as much economic goods as he can appropriate to himself from the operations of supply and demand is recognized and protected by law. These goods may consist of personal possessions, tangible and

intangible, corporeal and incorporeal, and of physical means of production which in turn consist of land and capital.

Choice: It is assumed that each individual has complete freedom of choice; 'he may use his energy and property as he thinks fit', subject only to such restraint as may be imposed upon him by law.

Equality: Here it is posited that everyone 'may work, live, and freely contract on a basis of equality with others and with the same opportunity as his fellows'.

Egoistic Altruism: We have it on the venerable authority of Adam Smith that, by pursuing his economic self-interest, every individual unconsciously promotes at the same time the economic interests of others. His intention is not generally to promote public interest but his own security and gain. In the process, however, he is led by an 'invisible hand' to promote an end which was no part of his original intention. By promoting his own interest, he promotes that of society more effectively than when he tries more consciously to promote it. This is the same familiar story now told in different words: the consumers always strive to get the greatest possible value for their money, whilst the producers struggle among themselves to make as much profit as possible, and both in the process promote each other's interests. In other words, by being blind to the interests of others, and by being concerned only with his own interest, an individual finds—we suppose to his pleasant surprise—that he has actually advanced the economic interests of his fellows. The agency or the 'invisible hand' through which this un contemplated, unintended, and unplanned altruistic result is brought about is supply and demand, or the price mechanism, alias market forces.

The religious acceptance and observance of these postulates has led to a number of astounding and epoch-making economic doctrines and practices which have proved to be painful and degrading in the extreme to mankind, down the ages. We shall have more to say on this later.

The achievements of capitalism appear to the best advantage against the background of the evil systems which it destroyed and replaced. Throughout his history, man's innate driving force has been self-interest—greed. Under a system where he can keep what

he acquires through the concrete translation of this driving force, the incentive to indulge his instinct of self and greed is enormous. What he needs as his initial armour, in addition to his self-interest or greed, are superb skill, cunning, and ruthlessness. As long as a particular system serves his selfish purposes, man makes the best use of it. If it no longer does, he discards it without the slightest hesitation or compunction. In the pursuit of his self-interest, whether as a feudalist, slave-owner, or capitalist, the only abiding standard recognized by him is SELF.

These attributes of man as a selfish animal were exhibited by the capitalist with undisputable excellence in his ruthless and uncompromising opposition to, and destruction of feudalism and slavery. Before the advent of capitalism the feudal lords kept everything that made life worth living at all under their control. The reins of agriculture, trade, industry such as there was, religion, government, and all, were firmly held in their hands. They frowned on freedom of enterprise, and regarded political freedom as anathema. In addition to their unconscionable exploitation of the serfs, they used governmental machinery to boost their private wealth.

Feudalism as a system was a well-knit monolithic organization, from the monarch who was the overlord through his ministers right down to the smallest lord of the manor. Under this system it was not only the individual lord who must be enriched but the King and country must also be enriched. With the result that unrestricted serfdom was the rule at home; while piracy and plundering on the high seas, and harsh exploitation of overseas markets, all for individual profit and national enrichment and aggrandizement, were permissible.

In Part I, we have already seen something of the working of the slave-trade and slavery, and of the legitimatization of these evil enterprises.

It is on record, however, that it was not the poor miserable serfs that struck the blow which shattered and devastated feudalism: it was the capitalists who did. Similarly, the slaves were just too impotent to compel their own manumission. But when some of their masters discovered that it was much more profitable to own factories than to own plantations, and to employ former slaves as

workers in their new and ever-growing factories, they gave them their freedom from slavery, but at the same time subjected them to a new form of soulless exploitation. The reason behind this ostensible act of mercy and humanity is simple. The profitability of a worker is greater than that of a slave. Because of his freedom, though limited, the worker was obliged to fend for himself under the same kind of motive force—greed—which gave impetus to his employer. He was at once the producer and the consumer of what he was made to produce under the guidance of his employer who undoubtedly was more skilful, more cunning, and more resourceful in every respect. In the United States of America the need for employing slaves as free workers in the factory dawned much more quickly on the slave-owners in the Northern part of the country than on those in the Southern part. Though slave labour is, by its very nature, less efficient and hence less productive than free labour, its products are by the same token much cheaper than the products of free labour. In due course, a conflict arose between the former slave-owners of the North and the extant owners of slaves in the South as a result of unfair competition on the part of the latter who were able to sell their goods cheaper than their Northern counterparts. We are told that one of the major causes of the American Civil War was the collision of the economic self-interests of the Northern employers of Negro labour and the Southern slave-owners. In the United Kingdom, they now preferred to buy raw materials (including palm oil) from, and sell finished products to Nigerians than to enslave them physically in British overseas plantations.

As we have seen in Chapter I, the discovery of the River Niger was made by Mungo Park and the Landers under the auspices of capitalists, otherwise known as merchant adventurers, based in Liverpool. Other discoveries of different parts of the world which were made by Christopher Columbus, Sir Walter Raleigh, and Frobisher, to name only a few, were sponsored by people who pursued their own self-interest regardless of the interests of others. They were the predecessors of contemporary capitalists.

Until the emergence of capitalism, the pronouncements of scientists concerning their discoveries were regarded as heresies. In this

connection, the pronouncement of Copernicus concerning the curvature of the earth was treated by his Christian contemporaries as heretical. On the advent of capitalism, however, science and technology were sedulously encouraged. Research was endowed. The humanities and social sciences were fostered by the bestowal of bounties and pensions on outstanding artists and economists. All these were done because some of the results of scientific research tended to help the capitalist to feather his profit nest, whilst the analytical reasoning of the social scientists also helped him to make judicious trade forecasts, and plan his business intelligently.

As we have seen, the germ of capitalism, which is greed, has always been inherent in man. But because of a large number of factors including lack of education and technology, lack of communications, etc., it did not, until towards the end of the eighteenth century, attain any differentiated identifiable form and growth. But by a concatenation of events, capitalism came into its own with the advent of the so-called industrial revolution. Since then, it has swept and carried everything before it. It has given unparalleled impetus to science, technology, and art. It has built new cities and beautified old ones. Its conquest of time and space is almost complete, and all mankind of all climes and tongues are now one another's neighbours. It has modernized the tools of production as well as the means of locomotion. In the process, it has internationalized industry and commerce. It has reduced and weakened the strongholds of ignorance, disease, and poverty. It has made the rich richer; and the poor better off than they ever had been before.

As we have said, it was the capitalist who overthrew the feudalist regime. By doing this he placed emphasis on freedom of enterprise and of choice, and proclaimed the doctrine of *laissez faire*. In the concrete translation of this doctrine, it introduced a radical—indeed revolutionary—element into politics: the element of liberalism and individual freedom.

Before the advent of capitalism, the doctrine which governed commercial intercourse among nations was mercantilism: the enrichment and economic aggrandizement of one nation at the expense of others. In its turn, the practicalization of this doctrine often led to wars between the advanced nations of the world, and to the

complete subjugation and unabashed exploitation of the backward territories.

On its advent, however, capitalism abolished mercantilism and, under the impetus of *laissez faire*, advocated and introduced free trade among nations. This led to fierce and cut-throat competition amongst the advanced nations of the world in which only the fittest and the strongest became truly enriched. In the struggle amongst the advanced nations for wider markets and secure and abundant sources of raw materials, the countries of Africa and Asia became areas of colonization, or imperialistic spheres of influence. Africa was divided; British rule in India was extended and strengthened; and both China and Japan were compelled to enter into business relations with Britain and America which, in the beginning, proved to be largely unfair to the former.

Wherever it was necessary to wage war in order to impose business intercourse on any country, it was done without any qualm of conscience. For instance, the Opium War was fought in China in the years 1840-42 in order to compel China to trade in opium which was injurious to human health, and hence to the health of the Chinese, but profitable to the English. The great Indian poet, Rabindranath Tagore, incisively described this trade as 'Death Traffic in China'.

Thus it will be seen that colonialism and imperialism are, in essence, a mere overseas extension of domestic capitalism.

In the process of all this, the backward areas of the world were compelled to have a new era of comparative peace and efficient administration. Their goods and resources were valorized. They received new enlightenment, and developed new aspirations. Such of the countries as were quick on the uptake, like Japan, made a tremendous leap forward to take advantage of this enforced intercourse with the capitalist countries. Others which were not as resourceful as Japan have also benefitted enormously from their subservience to capitalist adventures.

Above all, in its ceaseless attempts to create order out of an endemic chaos, capitalism has produced men who, in genius and intellect, cannot be surpassed in any field of human endeavour. Adam Smith, Ricardo, John Stuart Mill, Roscher, Walras, Wicksell

and Keynes, among many others, are names to which practising capitalists and capitalist economists will for ever feel indebted.

So much for the achievements of the capitalist system. We now turn to the vices of the system which, quite frankly, are legion. From Chapter 6 up to this point, we have introduced, in passing and obliquely, quite a host of them. We will now assemble them in summary form, for thorough acquaintance, and introduce new species of capitalist vices with which we have not previously been acquainted.

The postulates of the capitalist system are false and untenable. An examination of some of the causes of private property will reveal that it is unjust to recognize the right of the individual to private property without qualification.

Land is the gift of Nature, and was never at any time appropriated by Nature herself to any individual or family. *Ab initio*, the possession of land by a family or individual is the result of either forcible seizure or illegal and unauthorized appropriation. It is well known that uncultivated and unimproved or undeveloped land does attract income or rent due to no efforts whatsoever on the part of the land-owner, but as a result of pressure of population, proximity to industrial or commercial activities, or for other reasons to which the land-owner has made no contribution whatsoever. Even when a land-owner improves his land or builds on it, more often than not the building attracts rent out of proportion to the reward appropriate to the amount of capital invested in it. Under the postulate of private property, however, a land-owner or house-owner who comes within any of the categories mentioned above is entitled to keep any reward that comes to him in the manner which we have just described.

Again, the entrepreneur who takes advantage of over-supply of labour, coupled with a short-supply of the commodities which he produces, makes an extraordinary profit or an unearned and unjust gain which he is perfectly entitled to keep as his private property under this postulate.

The extent to which a person may employ his energy and pro-

perty as he likes depends on the state of supply and demand, which is quite outside his control. And it is a grand deception to suggest that a worker, whose labour-power is so awfully perishable and who, for various reasons, is himself very immobile, can ever contract on the basis of equality with his employer. In circumstances where the demand for land (or for any commodity for that matter under conditions of limited supply) is great, it is absolutely idle to talk of equality of contract as between land-owner and the tenant or the purchaser of land.

Apart from being a contradiction in terms, the postulate of egoistic altruism has never achieved the laudable ends which the formidable Adam Smith, who without using the same terminology was the first proponent of the postulate, ascribed to it. Adam Smith's invisible hand has led mankind to the realms of incalculable waste and disaster. For every single entrepreneur who succeeds or survives, there are probably more than a thousand or ten thousands that have gone completely under, never to rise again. In other words, the invisible hand is the blind umpire of a fierce and savage struggle in which the casualties in dead far outnumber recorded survivals. As a result, the entire productive paraphernalia of capitalist countries in Western Europe and America are in the hands of a few families—about 60 in all in the United States of America—who, by a system of highly complicated interlocking companies and directorates, control all the oligopolistic and semi-oligopolistic enterprises in all these countries.

We admit, before the contention is loudly urged, that small businesses do still exist side by side with the giant concerns to which we have just made reference. But it must be conceded, in all honesty, that these are nothing but mere puny satellites in the orbits of the few families who control gargantuan oligopolies.

Because everyone is always pursuing his own self-interest as dictated by his personal greed, and because of the resultant lack of co-ordination among producers *inter se*, and between producers on the one hand and consumers on the other, the capitalist system, under the guidance of the invisible hand, is always either breaking down or threatening to break down. From the birth of the industrial revolution in Europe in the last quarter of the eighteenth century,

Britain has witnessed more than twenty-five trade cycles, and innumerable strikes and labour disputes and strifes; which means that those countries with which she had trading intercourse were also afflicted by the same maladies to a greater or less extent. As we know, trade cycles are alternating periods of rising and falling levels of economic activity with similar characteristics in fluctuating output, prices, etc., from one cycle to another. A typical cycle consists of a period of expansion, a downturn or recession, a period of contraction, and an upturn or revival. In common parlance, it consists of alternating periods of boom and depression, or of prosperity and slump.

Lord Overstone, quoted by Marshall gives a vivid and accurate description of a trade cycle which cannot be improved upon, in the following words: 'First we find a state of quiescence—next, improvement—growing confidence—prosperity—excitement—overtrading—convulsion—pressure—stagnation—distress—ending again in quiescence.' It is a vicious circle which begins with quiescence and ends with quiescence, begins again with quiescence and ends again with quiescence, over an average period of roughly seven years at a time.

It goes without saying that the periods marked by boom and depression, prosperity and slump, have diametrically opposite effects. The period of boom is characterized by high, hopeful, and confident business expectations and activities, and by full—culminating in over-full—employment of natural and manpower resources. The period of slump, on the other hand, is accompanied by a thoroughly depressed economic outlook, considerable slowing down of business activities, widespread unemployment of manpower resources, and under-employment of natural resources.

Various causes have been suggested to explain the phenomenon of trade cycle. Beginning with Jevon's crude Sun-spot Theory, there are the Climatic Theories, the Under-Consumption Theory, the Competition Theory, the Psychological Theory, the Monetary Theories, the Over-investment Theories, and Keynes's Theory.

A careful examination of all these theories reveals that the basic cause of trade cycle is economic MALADJUSTMENT: maladjustment of supply of goods to demand, of supply of money to available goods,

and of savings to investment. This maladjustment is recurrent and endemic because of the complete lack of co-ordination: (1) among the producers *inter se*; (2) between the producers and consumers; (3) between the producers on the one hand and the Monetary Authorities and banking institutions on the other; and (4) between savers and the institutions which handle savings on the one hand and the investors or buyers of savings on the other.

The injustices which arise from production, exchange, and distribution are too inherent and deep-seated in the capitalist system for such injustices to be eliminated or even satisfactorily minimized.

Land and labour are the primary agents of production. In the beginning, all capital flows from the union of labour with land. This is done by the combined processes of deliberate and inevitable abstentions from consumption. As time goes on, however, more and more capital is produced by the union of labour with land, aided by the agency of pre-existing capital set aside for the dual purpose of assisting these two primary agents in producing more wealth and capital.

Land is the gift of Nature and labour-power belongs to the labourer. Consequently, one would have expected that all the wealth produced by the union of labour with land should—after making allowances for depreciation and the cost of materials used in the course of production, and after setting aside enough of the output to aid future production—after necessary deductions as aforesaid, go to labour: that is labour of all kinds and gradations, skilled and unskilled, managerial and non-managerial, which produced the wealth. Instead, however, the lion's share goes to the so-called land-owner, capitalist, and entrepreneur in the forms of rent, interest, and profit. It is, in our considered view and for the reasons which we have amply given, vicious, unjust, and only little short of larcenous, to appropriate to these three other agents the reward which properly belongs to labour. It is sheer and dishonest sophistry to argue that labour's share—from what cannot, under any circumstances, be produced without its direct and active intervention—should be determined by the blind forces of supply and demand.

The law of supply and demand has never claimed and can never claim, that, under its auspices, the basis of exchange of goods be-

tween two or more persons is fair, equitable, or just. As we have noted earlier on, exchange takes place between, shall we say, A and B when either of them has preference for what the other is prepared to exchange. But the sole determinants of the quantity which the one is obliged to give to the other in exchange for that other's goods, in order to make the exchange effective, are the forces of supply and demand. If at any time A produces more or less than B requires, he will get less or more value, in the course of the exchange; and vice-versa. If for the reasons with which we are now quite familiar, the conditions of demand relative to supply favour A more than they favour B for a considerable length of time, A may become fabulously enriched at the expense of B, while the latter becomes miserably impoverished. This will be the case not because A works harder and more efficiently than B, but simply because the law of supply and demand favours one more than the other. It may even be that B works harder and more efficiently than A, and that as a result his productivity is greater than A's. But, under the system which we are considering, this is beside the point, and counts for nothing. For, under this inhuman system, abundance is punished, scarcity is rewarded; so much so that a trade depression may arise simply because people have produced too much of the good things of this world. Indeed, the trade slump of 1929-31 has been aptly described as the 'Crisis of Plenty'.

When capitalism took over from feudalism, it inherited not only the latter's economic dominance but also its political over-lordship and supremacy. The capitalists became the ruling class while the emancipated serfs found themselves transformed into the category of free wage-earners. In order to assume a progressive and radical appearance, and hold themselves out as the accredited representatives of the people, the capitalists gave the people the vote subject, of course, to a number of conditions, one of them being that for anyone to qualify as a voter or as a candidate for election he must possess landed property or income of a stipulated value or amount. As a result, the vast majority of the working class population were disqualified from taking part in elections either as voters or candidates, whilst all the capitalists or the employing class were fully qualified to participate. We would like to mention, in passing, that

the introduction of universal adult suffrage at elections is a recent innovation brought about by a long-drawn, bitter, and sometimes violent agitation on the part of the working class.

Once in office, the capitalists use their control of governmental machinery to boost their businesses and their profits. This is quite natural, and permissible under the capitalist system. It is only fair, however, in this connection, to point out that as time went on, a Code of Conduct was introduced to make it taboo or difficult for anyone in office to employ governmental machinery for personal gains. But it is equally fair to say that this Code of Conduct was introduced and enforced not for morality's own sake. It was introduced in order to ensure that those of the capitalists who were in office did not use their positions to foster their business interests to the prejudice of the other capitalists who, for the time being, did not hold the reins of power. In other words, the Code of Conduct was never originally devised or intended for the protection of the people's interests, or for the promotion of public morality.

As we have noted, the capitalist system generates strikes, lock-outs, and various forms of labour dispute which while they last are extremely wasteful to the economy. But the interesting phenomenon which we would like to emphasize is that, in spite of the achievements of capitalism in improving the lot of workers, these industrial strifes continue to take place in an ever-rising crescendo. It is clear that the more the efforts put forward by capitalism to meet the particular and pressing demands of labour, the more acute, the more acrimonious, and the better organized is the next industrial dispute.

Apart from these incessant and ever-growing frictions between employers and workers, capitalism also generates a good deal of heat, friction, and bitterness between the rulers and the governed, simply because the former always try, and never desist from devising ways and means, to employ their public office to gratify their greed and advance their economic self-interest. These incessant frictions have been, and are still the cause of social unrest and instability—often involving violence—in many parts of the world.

One quick glance round the world must reveal that God, in His infinite wisdom, so organizes our planet and so disposes all the

resources therein, as to make it imperative for all human beings in all parts of the world to live in harmonious and happy economic inter-dependence with one another. But in the pursuit of his greed and self-interest, man, in his role as a capitalist, has distorted and thwarted God's excellent arrangement by forcibly and illegally appropriating to himself *land* which is *God's free gift to all mankind*. He has also cunningly, unjustly, and sometimes forcibly and feloniously appropriated to himself raw materials and the tools of labour including machinery—correctly described by Marx as the means of production—all of which are the direct results of the application by man of the dynamic forces of his labour-power to land.

Every capitalist nation in the world has followed very closely and vigorously in the footsteps of its indigenous capitalists who also hold the reins of power. As a result, there is as much cut-throat competition in international trade as there ever has been in domestic trade. In the struggle for survival, each nation has had to resort to all kinds of malpractice. These inevitably have reduced international trading from the high ideal pedestal of mutual benefits and complementary advantages among all the nations of the world to the low and harrowing level of veritable nuisance and bane. Dumping, tariff protection, devaluation, and beggar-my-neighbour policies, are among the malpractices which have been introduced by all the nations of the world in the pursuit of the narrow national self-interest of each against the others.

International oligopolies and combines are now the order of the day. As we write these lines, nations of the world, rich and poor nations alike, are frantically and feverishly organizing themselves into different groups and combines for the purpose of protecting their joint economic self-interest, and taking advantage of other nations' economic weaknesses. The strong and rich nations of the world wax richer and more powerful, whilst the poorer ones continue to wane in their poverty and impotence. The gap between the two groups widens with the times. In the past and up to the present, hot and cold wars have been fought and are still being fought for economic national survival and supremacy. With the new combines among the powerful and rich capitalist nations of the world on the one hand, and among the weak and poor capitalist ones on the other, the stage

is undoubtedly being set now for large-scale and ruinous economic collisions between the two, in the not too distant future.

Because his sole aim is to make profit, the capitalist neglects the development of basic and other infrastructures. He does not touch any business or enterprise which shows no promise of yielding profit, either in the present or in the immediate future. Accordingly, he is completely indifferent to the education and health of actual and potential workers, except in so far as their education and health have every prospect of redounding to his business efforts, and improving his chances of making profits. Whenever he is satisfied that this is certain to be the case, he may undertake the education of a limited number of workers to enable them to acquire such skills as will raise their productivity, and boost his profits.

For this reason, and because the reins of Government are in the hands of capitalists, the education of the citizens in most capitalist countries is unplanned and distorted, and their health largely neglected. As a result, the masses of the citizens remain enslaved to heredity, develop malignant and injurious sentiments, and give unfettered rein to negative and poisonous emotions such as anger, hate, fear, jealousy, selfishness, and greed. We shall have more to say on these negative emotions in Chapter 9. But at this stage, we would like to assert and emphasize that the capitalist system places too high a premium on man's negative emotions, especially those of selfishness and greed. Because it recognizes and legalizes stealing by cunning, and recovery by stealth, strike, or violence; because it promotes and fosters sharp disparities and inequity in the distribution of wealth as between the rich few and the poor masses; and because of the inescapable economic insecurity to which it exposes the masses of the people, the capitalist system inevitably produces anger, hate, fear, jealousy, selfishness, and greed among all and sundry.

Several devices have been introduced and adopted by the capitalists with a view to correcting the evils and righting the wrongs of the capitalist system. We will itemize some of these devices, and briefly assess the efficacy of each of them.

Taxation: The primary aim of taxation is to make the citizens pay money in lieu of the services which they are in duty bound to

render to the State. The taxes thus collected are used to employ a number of people full-time in the service of the State. In addition, there are *quid pro quo* taxes or rates which are paid to the State in consideration of direct services rendered to the citizens. As a modern evolution, however, some new, important, and radical principles have been introduced into taxation. These are designed to achieve three fundamental social ends, namely:

- (i) to reduce the gap between the rich and the poor by taking, in tax, much more than proportionately from the income of the former;
- (ii) to make the rich contribute, by way of taxation, much more than proportionately to the revenue of the State on the ground that they can bear the comparatively heavier burden of taxation, and still be able to satisfy their demands for necessities, comforts, and a fair number of luxuries; and
- (iii) to make the rich contribute specifically to the development of basic and other infrastructures, such as the education and health of the poor, and the provision of some elementary amenities for them; the construction of roads; and the maintenance of social services and institutions which do not normally yield profit.

All these are good as far as they go. But the experience of well over a century has demonstrated beyond any doubt that they do not go far enough. In spite of progressive taxation and super-tax, and in spite of the taxation of luxury and other goods usually consumed by the rich, the gap between the rich and the poor remains, and widens, whilst good education and health and the enjoyment of modern amenities remain largely the preserve and privilege of the rich.

Incentives to Workers: It would appear that the capitalists themselves recognize and admit the gross and glaring injustice which is being done to workers in the process of distributing the wealth of the nation. In any case, the workers themselves have never, at any time since the nineteenth century, relented in using the weapon of strike and other forms of protest in agitating for improvement in their wages and conditions of work. Consequently, various methods

of remunerating the workers have been adopted by the employers. Apart from the well-known time and piece methods of remuneration, there are a few modern innovations. Some of them are: (i) premium bonus systems, (ii) profit-sharing, (iii) labour co-partnership, (iv) free mid-day meals, and (v) children's and family allowances. The names of these methods speak for themselves; and it only remains to observe, therefore, that these methods, and others not here mentioned, have all failed to evoke in the workers the sense of grateful and contented response expected from them as a result. On the contrary, the acerbity of the workers towards capitalism grows with the age of the system itself, despite the efforts of the system to advance and improve the lot and interests of the workers.

Rent and Price Controls: Again, in order to relieve the burden of the working class, and to prevent the making by capitalists of excessive, unearned, and unjust gains in the face of scarcity, some Governments have occasionally instituted rent and price controls by pegging or freezing rents and prices at certain levels. But the forces of supply and demand have constantly refused to obey any laws or regulations which seek to set any limit to their normal, natural, but cruel operations under conditions of short-supply of houses and goods in the face of increasing demands. At any given time, there is a point at which the Demand and Supply curves meet. This is the point of equilibrium at that given time; and the precise and inexorable price, at that given time, is indicated at that point at which a line, drawn from the point of equilibrium parallel to the horizontal quantity axis, meets the vertical price axis. Any rent or price fixed below this point will not be maintainable, simply because it is not in strict accordance with that which is dictated by the forces of supply and demand.

No wonder, then, that those Governments which, in peace time, have attempted rent and price controls have recorded nothing but uniform failure. If houses and goods are in short supply, there is only one answer to the problem: to build more houses and produce more goods.

In some instances rent and price controls have been accompanied by rationing. Except in war time, or in times of grave emergency, rationing has never been tolerated by the generality of the people.

Everyone—even the working class, in the pursuit of his self-interest, believes he can fend for himself, and do much better than the State essays to do for him by rationing.

But since more profits are made under conditions of scarcity of houses and goods than under conditions of plenty of these commodities, it is in the interest of the capitalist that scarcity should prevail. It is true that some States have entered the field of housing by building houses for low-income workers. It must be stressed, however, that such States have done so only falteringly and half-heartedly, and never in a big and conscientious way. Reason: the capitalists who are in control of power, though obliged by the forces of public opinion to do something about and pay lip-service to it, never in their heart of hearts like the policy of cheap houses for all. And so the shortage of houses and goods—particularly of houses—continues, with unpleasant consequences for all concerned.

Public Utilities and Social Services: Public utilities such as electricity, gas-works, water-supply, telecommunications, and railways require heavy capital to get them started at all. They also require a very large number of consumers to make them viable and profitable. As a result, they are not amenable to any form of sane or sensible competition. For certain, those who engage in any competition in these fields can only end up in destroying one another; and while they last they will disgracefully and woefully fail to provide dependable services for the people. Whoever goes into any of these essential enterprises, therefore, must either have monopolistic control or, in combination with others, oligopolistic control. On the other hand, if permitted by the State, private monopoly or oligopoly in the provision of any of these highly sensitive and socially indispensable amenities will amount to a dastardly surrender of the consumers to the rough mercy and ruthless exploitation of the producers. In such a circumstance, the prices of these utilities might be so high that only a limited number of people would be able to afford them. For all these reasons, therefore, it is the practice in almost all the countries of the world for many public utilities to be provided by the State, or some of its Agencies, at prices which are well within the financial capacities of most of the working class. For instance, in many under-developed countries, public stand-pipes are provided

from which the ordinary man in the street, who cannot afford to have water installed in his premises, gets a regular supply of good and potable water. When and where this is the case, the taxable population is made to pay a *per capita* Water Rate.

Social services such as sanitation, hospitals, and health facilities, education, and the care of the infirm and handicapped, are palpably unprofitable and, in any case, require too much expertise and personal attention and devotion on the part of the proprietors to make any of such enterprises viable at all, let alone profitable. For these reasons, these services have been absolutely shunned by the capitalists and left severely to the State which, because of its subservience to the capitalists, is, in advanced countries, only recently awakening, and in developing countries, still about to awaken to its imperative and inalienable responsibilities in these matters.

At this juncture, it must be observed and emphasized that the success of the State, in the fields of public utility enterprises and social services, is a pointer to what it is capable of doing in other spheres of social activity.

Planning and Control: It is now recognized by practically all economists, and by all the Governments of the world, that economic forces must be controlled and channelled, at least to some extent. Various methods have been adopted to effect the desired control. Some of these methods amount to direct control and others to indirect control. In some countries these direct and indirect controls have been given the fascinating name of PLANNING, after the fashion of the Soviet Union which first introduced comprehensive periodic economic planning. We will now consider some of these methods.

In the first place, monetary and budgetary controls are now a common and permanent feature of the economic activities of all the Governments of the world. These are effected by means of the manipulation of interest rates, the credit squeeze, open market operations, the issuing of administrative guidance and guide-line to banking and other monetary institutions, imposition and remission of tax, export subsidy and import quota, tariff measures, devaluation, expansion and contraction of public works through the instruments of deficit and surplus budgeting, etc., etc. The ineffectiveness

and inefficacy of all these methods stare us in the face every day of our lives.

In the second place, since Beveridge and Keynes, talk of full employment has filled the air. But nowhere in all the capitalist countries is full employment permanently attained. It is to their credit, however, that they daily strive might and main to attain this ideal objective, and that their failure is due not to lack of prodigious efforts on their part but to the intractable forces of capitalist economics.

In the third place, many Governments and their agencies have entered into the field to provide cheap houses for low-income workers, but with the unsatisfactory results which we have already noted.

In the fourth place a few Governments have embarked on the direct management—that is nationalization—of some industries. Here again we are all familiar with the unsatisfactory results which have flowed from this method in a basically capitalist economy.

It is believed that by means of all these manipulations of economic forces, and by means of indirect and direct controls and direction of specific categories of individuals, firms and transactions, efficient exploitation and mobility of resources and co-ordination of the means of production, exchange, and distribution will be achieved for the benefit and happiness of the people. But experience has shown that all these partial, spasmodic, and half-hearted devices, which are now fashionable and are erroneously given the label of PLANNING, have only succeeded in making the economic confusions under capitalism even worse.

Regulation of International Trade and Payments: Just as the need for some form of domestic control and direction of economic forces has dawned on most, if not all, of the countries of the world, so has the necessity for some form of international control and direction of these same forces become manifest to all the Governments of the world. To this end, various Agreements and Institutions have been executed and established.

There are world Commodity Agreements, entered into between the producer and consumer countries, in respect of commodities such as wheat, tin, coffee, sugar, and cocoa. These Agreements pro-

vide for a floor and a ceiling price for each of the commodities concerned, as well as for production and consumption quotas, buffer stocks, and other devices by means of which the range of prices between the floor and the ceiling can be maintained. The whole essence of these Agreements is to ensure that the forces of supply and demand do not operate freely and capriciously to the occasional and alternate prejudice of producers and consumers alike, by controlling and directing them in the manner already described.

These Agreements are perhaps the best achievements of capitalism. They have given to the producers of the commodities in question a permanent incentive to continued production. At the same time, they have made it possible for the manufacturers, who turn these commodities into finished products, to plan their production schedules confidently and in advance, and to pursue a price policy which assures them of steady and stable markets.

We hasten to observe, however, that these Agreements are by no means an unmixed blessing. To start with, they are not always all-embracing: with the result that those countries which do not subscribe to the Agreements can upset the price stability which the Agreements envisage by pursuing their own independent price policies. Furthermore, any of the parties to the Agreements may opt out of them, as Britain did in 1953 in the case of the Wheat Agreement, when she took advantage of low 'free' wheat prices, thereby weakening the effectiveness of the Agreement to a very great extent.

In addition to Commodity Agreements, a number of World Organizations have been established with the same objects in view. We will mention the three main ones, leaving out their affiliates and subsidiaries which are fairly large in number. The three main Organizations are the International Bank for Reconstruction and Development, commonly known as the World Bank; the International Monetary Fund, usually referred to as the I.M.F.; and the General Agreement on Tariffs and Trade, popularly known as G.A.T.T.

The World Bank and the I.M.F. are the famous Bretton Woods 'twins'. They are Specialized Agencies of the United Nations, established in Washington in 1945 under the 1944 Bretton Woods Agreements. The Bank and the Fund are 'twins' in the sense that

they both deal in loans: the one specializing in long-term loans, and the other in short-term loans.

More specifically, the functions of the World Bank are to furnish capital for post-war reconstruction, to promote and supplement private foreign investment, and to encourage the expansion of world resources and productive capacity, especially in under-developed countries.

On the other hand, the I.M.F. was established for the express purpose of maintaining and improving International Liquidity. It was recognized, long before the outbreak of World War II, that International Trade was being unduly hampered by the inadequacy of gold as an international medium of exchange, by exchange restrictions imposed by various countries, and by speculative arbitrage operations. Specifically then, the functions of the I.M.F. are to encourage stability of exchange, maintain orderly exchange procedures amongst its members, sustain a multilateral system of payments for current transactions between members, and help to eliminate unnecessary foreign exchange restrictions that may hamper international commerce.

From its own functions, it will be seen that the G.A.T.T. is a very close and powerful ally of the Bank and the Fund. The functions of the G.A.T.T. are: to ensure, on the international plane, non-discrimination in trade, negotiated reduction in tariffs, and the gradual elimination of other barriers to International Trade. Furthermore, the G.A.T.T. accepts the *most-favoured nation principle* (that is any advantage given by any signatory to any other country is to be given to all signatories to the Agreement), and the signatories to it undertake not to increase the existing specific or *ad valorem* duties in respect of goods scheduled in the Agreement, to a level higher than those which prevailed before 1939, and not to impose duties on goods at present not subject to duty.

These are grand and laudable objectives. But the achievements are relatively uninspiring and unedifying. The main reason for this is that, in spite of their outward sophistication and civilization, and of their altruistic protestations, the nations which compose these International Bodies still pursue their individual naked economic self-interest and aggrandizement. Indeed, there is unassailable evi-

dence of an increasing overtone of what Sir Norman Angell termed, some 30 years back, the 'economics of cannibalism'. When you want to eat me and I also want to eat you, it is difficult, indeed impossible, whatever may be our verbal declarations to the contrary, to agree on an arrangement which will redound to the survival of both of us, let alone our prosperity and happiness. It is not surprising, therefore, that around these international bodies various interest and pressure groups have been formed to strengthen their joint 'cannibalistic' designs. And so, we have the Group of Ten, the African Group, the Commonwealth Group, and other groups, all of which seek not to promote the overall common interest but to advance their sectional economic greed, aggrandizement, and supremacy.

It should be quite clear from what we have said that the vices and evils of capitalism are inherent, and cannot be cured by adopting a capitalist approach to them. For as we have seen, all the efforts which man has made to eliminate or minimize these evils have had no salutary or beneficial effects. Only a few instances need be mentioned. The antagonism of the working class towards the employing class grows more acute rather than diminishing with time. The landlords and the capitalists continue to take advantage of scarce supplies of shelter, goods, and money to reap plenteously where they do not sow. In the face of the strenuous activities of the World Bank, the I.M.F. and G.A.T.T., international trade and liquidity are as chaotic and baneful as ever—if not more so; the under-developed countries remain relatively more under-developed than hitherto; and about two-thirds of the world population continues to wallow in poverty, ignorance, and disease. In spite of Keynes and all his illustrious predecessors and successors, unemployment, inflation, deflation, trade cycles with all that they import, the problems of international trade and liquidity, etc., not only remain with us but are also becoming more pervasive, more frightful, and more catastrophic in their effects than ever before. It is not that the eminent savants just referred to are not skilled enough in social engineering, or economic surgery and therapy. This is certainly not the case. The naked truth is that, without exception, they all approach economic problems with an impervious capitalist attitude of

mind. They believe, quite erroneously and dangerously, that the only way by which man can permanently control, humanize, and harness economic forces is to adapt himself to them, instead of directing these forces to serve his chosen ends and his best interests.

In this connection, the following pithy words of Engels are pertinent. Says he: 'The forces operating in society work exactly like the forces operating in nature: blindly, violently, destructively, so long as we do not understand them and fail to take them into account. But when we once have recognized them, and understood how they work, their directions and their effects, the gradual subjection of them to our will, and the use of them for the attainment of our aims, depends entirely on ourselves. And this is especially true of the mightily productive forces of the present day.'¹

In the infant and primitive days of *homo sapiens*, ignorance of the economic forces at work, and of the mechanics of controlling them and making them serve human progress and happiness, is excusable. At this point in time, however, such ignorance is not only inexcusable but also damnable in the extreme. For by the use of the appropriate scientific tools we can analyse these forces and understand them, and by so doing, discover the most efficacious cure for their ill effects, or the most effective way of controlling and directing these forces for our good and benefits. It follows, therefore, that our present-day failure in these matters cannot and must not be ascribed to our non-understanding of the economic forces at work, but must be imputed to our deliberate refusal to do what is scientifically manifest, and socially equitable, fair, and just. And as long as we refuse to do what is just, so long will the vices and evils of capitalism, which we have copiously spotlighted, remain inherent in our society, and continue to be stubbornly incurable.

When all this has been said, the worst of all the inherent vices and evils of the capitalist system remains to be considered. It is that capitalism, in its essence and intrinsic nature, offends against the principles of dialectic. We have deliberately chosen to make this important point at this particular stage because the principle of dialectic is at once the inescapable doom of capitalism and the indefeasible hope of socialism which is our topic of discussion in the next chapter.

Whenever we speak of the dialectic, two great names readily come to mind. They are Hegel and Marx. They are *par excellence* the propounders of the principles of dialectic as we currently know them. But they are not the originators of dialectic.

The art of dialectic has its origin in ancient Greece. It was an oral means by which the truth of any matter in issue was discovered or exposed by urging, most vigorously and with consummate logic, the 'pros and cons' of the matter. At his worst, a dialectician in ancient Greece was a sophist, and at his best a deductive logician. In this sense, he is more akin to a forensic advocate than to a methodologist.

In the *Republic*, Plato advocates 30 years of rigorous education for the Rulers—the Guardians and Guards—after their preliminary training up to the age of 20 years. Of these 30 years, he insists that ten should be devoted to the intensive study of mathematics and dialectic. As Plato originally used it, dialectic meant the process by which man's mind, either in disputation with another person or with itself in the form of an 'inner dialogue', tries to discover the truth of any matter in issue. By means of questions and answers, a method most skilfully employed by Socrates, the contradictions in any matter under discussion are exposed and rejected, and the truth is ultimately arrived at. As a later development, Plato regarded the dialectic itself as the very embodiment of truth.

About 24 centuries later, Hegel² introduced what he called 'the loftier dialectic'. According to him, dialectic is not an activity of the mind applied to some external matter in issue with a view to exposing its contradictions and discovering its truth. Rather the Hegelian dialectic is the unfolding of the very soul of the matter itself under the never-ceasing and ever-progressive impetus of the Idea. The Idea is complete in itself and absolute. It has in itself and in absolute perfection the qualities of freedom, justice, equality, truth, and other forms of social ideals and moralities. But since in the beginning the Idea was unconscious of itself and its virtues, it seeks through the dialectic process to become conscious of itself, and to realize its own inherent qualities and virtues. In the course of its development towards absolute self-realization, the Idea uses men and matters.

Behind the Idea is God who is the Author of everything in the universe. He employs the Idea as the embodiment of all the good things he plans for the universe. In its turn, the Idea, by means of the dialectic process, manifesting itself through men and matters, progressively realizes itself in the real world. In other words, everything that happens in this world happens because the Idea wants it to happen; and all the mean and great actions of men, and the low depravity and the heights of great ideals to which they descend and soar are possible because men have been influenced and inspired by the Idea. In all these, the instrument which the Idea uses is the dialectic. In other words the dialectic means simply the interaction between the Idea on the one hand, and the events of nature as well as what Hegel terms 'the complex of human passions' on the other. It is from this interaction that, to use another of Hegel's graphic expressions, 'the vast arras-web of universal history' is woven. Hegel, therefore, accepts the doctrine of theodicy, that is that God is responsible for all the things that happen in the world—good and evil—and that all such happenings are designed for the vindication of His divine providence. This must be so because, according to Hegel all the events of nature and of history, of whatever kind soever, are moments in the Idea's dialectic procession to full self-realization, in which the qualities of truth, freedom, justice, equality, and other forms of social ideals and moralities will be established in their indefeasible absoluteness and perfection. The principles of dialectic, as propounded by Hegel, can, therefore, be seen as the principles of change and of progress: of progress 'from lower to higher; from part to whole; from the indeterminate to the determinate'.

Hegel regards each stage reached by the Idea in its dialectic procession to absolute self-realization as a THESIS. But since such a stage falls short of the absolute, that is of perfection, the dialectic, of its own volition, calls into being a movement designed to remove the prevailing imperfection. This counter-movement Hegel calls the ANTITHESIS. With the emergence of the antithesis, a war of attrition between the thesis and the antithesis begins. At first the waging of this war is imperceptible; then, it becomes fairly obvious that such a war is in progress; and then, in the end a sudden explosion occurs

in which both the thesis and antithesis, in their original forms, disappear, and the SYNTHESIS appears which embodies the best in both, but with the best in the antithesis being the dominant feature of the synthesis. For a while the dialectic process comes to a temporary halt: 'the antithesis is in abeyance'. But in the course of time, the dialectic procession resumes its forward march, because perfection is not yet reached. At the commencement of this renewed march, the synthesis becomes the thesis which in turn calls forth its own antithesis. And so on and so forth, until perfection is reached.

It will be seen that every stage in world history and development which is short of perfection contains in it the germ of its own radical and revolutionary reformation. Because of the never-ceasing and ever-progressive impetus of the Idea, each imperfect stage calls forth its own reformer and revolutionary, or what Hegel calls 'the Hero', 'the world-historical individual', or 'the man of action' matched, companioned, and supported by appropriate events of nature to make the antithesis effective. In other words, all the events of nature and history are the progressive objectification of God's plan through the Idea and by means of the dialectic procession which we have described.

Marx, himself, a Hegelian of the left, disagrees with the Hegelian dialectic which makes the Idea the embodiment of truth, freedom, justice, equality, and other forms of social ideals and moralities, and the sole inspirer and motivator of human actions. Says Marx, 'my dialectic method is not only different from the Hegelian, but is its direct opposite. Hegel thinks that the real world is only the external phenomenal form of the Idea, whereas my own view is that the ideal is nothing else than the material world reflected by the human mind and translated into forms of thought. Nevertheless, with respect to dialectic, Hegel is the first to present its general form of working in a comprehensive and conscious manner. The only trouble is that with Hegel, dialectic is standing on its head. It must be turned right side up again.'³

It will be seen from this excerpt that whilst Marx accepts Hegel's dialectic cycle of THESIS-ANTITHESIS-SYNTHESIS-THESIS, he rejects the Hegelian propositions that the events of Nature and of history, and the ideals of freedom, justice, religion, etc., which man cherishes

are the progressive objectification of the Idea. In Marx's view, all these are nothing but the rationalization of the position which each class of people occupy in relation to the material forces of Nature, and to production.

Two reasons can be assigned for Marx's opposition to Hegel. First, Marx as an historical objectivist and materialist believes only the Realistic Theory of Knowledge as opposed to the Subjective Theory. Second, he believes, as a result of elaborate and rigorous empiricism, that the mode of production in material life conditions the general character of the social, political, and spiritual processes of life. In the words of Engels: 'Production and, with production, the exchange of its products, is the basis of every social order. In every society which has appeared in history, the distribution of the products, and with it the division of society into classes or estates is determined by what is produced, and how it is produced, and how the product is exchanged.'

In other words, the mode of production in any particular period, independently of the will and consciousness of individual men, conditions the structure of society or social order for that epoch, and constitutes the foundation for the political, intellectual, and religious outlook of that epoch. For these reasons, the Idea, which is God's will concerning social and religious moralities, is rejected by Marx, who regards ideals as nothing else than the conflicts in the material world of production, distribution, and exchange, as reflected in the human mind and translated into forms of thought.

When Marx's disagreement with Hegel and the reasons for it have been noted, the facts remain that they share an identical view, though from opposite stand-points, that the social order at any given time or epoch is nothing but the thesis which, because it lacks perfection, of itself brings into being its own antithesis which wrestles with the thesis slowly but surely until suddenly there is an explosion in which both the thesis and the antithesis disappear giving birth to a synthesis which combines the best in the thesis and antithesis, but with the best of the latter in quantitative and qualitative dominance. This synthesis becomes the thesis which again brings into being its own antithesis.

It follows, therefore, that whether or not we accept the Hegelian

view or the Marxian view, the result of the application of the principles of dialectic to capitalism is the same. As we have abundantly shown in Chapter 6 and in the earlier part of this chapter, capitalism is a very imperfect system. It can, therefore, be looked upon as the thesis in the Hegelian or Marxian sense. Being a thesis, it is bound to bring forth its own antithesis, which will contend with it, first silently and then explosively until both fuse into a synthesis. Marx identifies the antithesis to capitalism as the working class—'capitalism's grave-diggers'—and predicts the synthesis and the resulting thesis respectively as socialism in which there will be a dictatorship of the proletariat, and communism which will be a state of social perfection in which 'the State everywhere' will be replaced by 'Community', and 'the free development of each is the condition for the free development of all'.

We do not wish to take up the issue of whether or not the theories of Hegel and Marx are valid. The fact remains that *Today* at least half of the world population accept the thesis-antithesis-synthesis-thesis progression of the dialectic with religious and fanatical fidelity, while the remaining half spend most of their time in search of cogent and tangible counterblasts to the Hegelian-Marxian principles of dialectic and their progressive materialization. But the sense in which we intend to use the dialectic is different from both Hegelian and Marxian senses, though the result is the same.

We begin by affirming an *a priori* proposition that the universe is a cosmos and not a chaos. There is an immutable law which rules in the physical world of matters and action as well as in the intangible and subjective world of thoughts, ideas, and ideals. The fact that we can perceive the one with our five physical senses and demonstrate them objectively if need be by the use of scientific instruments, does not necessarily deny the existence of the other simply because they cannot be so perceived and demonstrated.

This immutable law is sometimes referred to as the universal mind: it is latent, dormant, and inactive until it is set in motion by human thoughts, words, and actions. The electrons, which the atoms of copper now and again lose and regain, remain inactive until man learns to control and polarize them for the purpose of making them produce electricity. Similarly, the sea of molecules in

which 'we live, move, and have our being' will remain dormant, until, by the transmission of sound waves and heat waves, or the application of our thoughts, we set it in motion to do our required bidding.

It is now well established by the science of psychology, which was in its embryonic stages in the times of Hegel and Marx, that just as there is a conscious mind which functions through our five senses, so there is the subconscious mind which operates independently of our objective faculties through the autonomic system of nerves and some well-identified glands in the brain—like, for instance, the pituitary gland. Furthermore, whatever suggestion or idea is accepted and entertained by the conscious mind tends to be accepted by the subconscious mind which materializes such a suggestion or idea in the physical world of matters.

The point which we have been trying to stress is that the immutable law, or universal mind, is set in motion just as effectively by our deeds or actions as by our thoughts and words. It is this setting in motion, the making dynamic of the static latent universal mind that we call dialectic. Since thought is father to words and actions, every thought, as well of course as every word and action, is dialectic.

This immutable law, under the active agency of man, will do every good and desirable thing we want, provided always that our technique is correct. Electrons in motion will produce electricity; but we must master the technique of putting them in motion. Also we can make electricity heat our house or cook our foods, provided we master the technique in each case.

Similarly, in the intangible and subjective realm of mind, we can apply thoughts to anything and achieve it, provided we master the technique. We hasten to state, for the avoidance of misunderstanding, that whatever thought we hold dear, entertain, and cherish will manifest itself in concrete forms whether we like it or not. The fundamental law is that thought is the cause, and the material world is only an effect. If we persistently think and cherish good thoughts, good will result; if evil, evil will result. Always the law is latent and static; and man's thought, word and deed are dynamic and, through this dialectic process, puts the law in motion and into concrete operation.

It follows, therefore, that anything which is selfish, hateful, and evil will produce selfish, hateful, and evil results. Similarly, anything which is other-regarding, altruistic, loving, and good will produce other-regarding, altruistic, loving, and good results.

It is our considered view that if history establishes anything at all empirically and beyond any doubt, it is this. *Like cause always produces like effect. In kind, we always reap what we sow; but quantitatively, we always reap much more than we sow. One good seed always produces its kind 'a hundred-fold'. Ditto for one evil seed. But whilst the good seed, in spite of the stiffest obstruction and opposition, proliferates, flourishes, and transcends itself in quality, through aeons of time, the bad seed, in spite of the most generous encouragement, tends, through time, though sometimes imperceptibly, to diminish in quantity and degenerate in quality until suddenly it suffers total extinction.* This in our opinion is the statement of the concrete manifestation of the true dialectic. As it was with slavery, feudalism, and other evil customs and systems in history, so it will be with any extant and prevailing evil system. In other words, we can only temporarily delay the full fructification of any good idea, we cannot permanently prevent it. Conversely, we can only temporarily accelerate the fruition of any evil idea, we can never succeed in perpetuating it. Good shall surely, though sometimes slowly, grow and manifest itself; but evil shall also surely, though oftentimes slowly and imperceptibly, wane in strength and finally perish.

The touchstone of what is good, be it in thought, or word or action, is LOVE. We are to love our neighbours as ourselves. 'That is the law and the prophets'. Anything therefore—any thought or word or action—which falls short of LOVE is evil, and holds within itself the germ of its own eventual and inevitable destruction.

The inference now becomes irresistible that as long as greed or naked self-interest remains the prime and main motivation of any social system, that system must always of a necessity generate countervailing greed and naked self-interest in everyone whom its operations affect, and in the process of time it will degenerate and perish.

It only remains for us now to emphasize and pin-point the obvious. Since greed, selfishness, or naked self-interest is the essence

and predominant motivation of capitalism, the system is bound to generate secular social disequilibrium in the society in which it is operative, and to diminish and degenerate through time until it suffers extinction, yielding place to another and better system which either approaches or approximates to the ideal of LOVE.

¹ Engels: Socialism, Utopian and Scientific. (page 73)

² Hegel: The Philosophy of History.

³ Marx: Das Kapital, 1867.

The Socialist Approach

THE CONCLUSION which we have reached is that no social system designed to benefit any people or mankind as a whole has a chance of permanent success, growth, and ultimate survival unless it is in strict harmony with the dialectic. In other words, such a system must recognize, as one of its first principles, that the State is an enlarged family—a macrocosmic representation of the individual family units which compose it; it must ensure to all whom its operations may affect: (i) security from internal disorder and protection against external aggression; (ii) adequate provision of the necessities of life, together with some comforts, and if possible a little bit of luxury as well; and (iii) the enjoyment of freedom, justice, equality, and other fundamental human rights. In short, such a system must indefeasibly and permanently guarantee social justice to all whom its operations may affect. In this sense, it must completely remove all the defects and all the causes of social injustice and inequality which we have previously noted in this Part, or, at the very least, minimize the injurious effects of such defects, injustice, and inequality.

As we have seen, capitalism has failed in its strenuous bid (which has lasted almost two centuries) to achieve these objectives; and because of its inherent antagonism to the dialectic, it has no chance at all of success in the future. On all counts, it can be confidently predicted that capitalism is doomed to perish. The only system which, because of its intrinsic harmony with the dialectic, has every chance of success now and in the future is socialism.

What is socialism? Socialism is a normative social science. It is in the same category as ethics. But whilst the latter seeks to set the standards for human conduct, socialism seeks to establish the standards for economic behaviour and social objectives. It is, in a very

important respect, unlike the science of economics which studies the forces at work in any society and in the world at large in man's efforts to satisfy infinite ends with limited and scarce means which have alternative uses. Socialism, as a normative science, also studies these forces, but goes much further. It sets the standards of human ends which economic forces must serve, and prescribes the methods by which these forces may be controlled, directed, and channelled for the attainment of the ends in view.

Socialism is also to be distinguished from and contrasted with communism, and the Marxist concept of socialism. Communism is a state of social perfection in which the principle 'from each according to his ability and to each according to his need' shall apply. On its advent, the dictatorship of the proletariat would come to an end, the 'State' everywhere would be replaced by 'Community', and the talents of each citizen would be so highly developed, that in his skills he would far transcend the capitalist technology of micro-division of labour and acquire the all-embracing communist technology which would make it possible for him 'to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner, without ever becoming hunter, fisherman, shepherd or critic'.

In the views of Marx and Engels, the State and freedom are anti-thetic. Under the *bourgeoisie*, a State is an instrument of arbitrary coercion and oppression, and its executive 'is but a committee for managing the affairs of the whole *bourgeoisie*' in their ruthless exploitation of the working class. Under the proletariat, the State becomes the instrument for holding down its adversaries, the *bourgeoisie*. Says Engels in *Letter to Bebel*, 'it is pure nonsense to talk of a free people's State'. But when communism is attained and the 'State' everywhere is replaced by 'Community', each individual would then have 'the means of cultivating his gift in all directions'. 'Only in the Community, therefore', declare Marx and Engels, 'is personal freedom possible.'

It will be seen that, in the views of Marx and Engels, socialism is an intermediate stage between the era of capitalism and that of communism. The principle of socialism is 'from each according to his ability and to each according to his deed', and its high-water

mark, as we have seen, is the dictatorship of the proletariat under which the *bourgeoisie*—the capitalists—are suppressed and finally exterminated.

Our own concept of socialism is entirely different from communism and the Marxian concept of socialism. We believe that the State is an absolute necessity in human evolution from primeval crudity to physical, intellectual, and spiritual perfection. We believe that it is only within the State that man can enjoy personal freedom and live a full and happy life. We believe that to these ends the economic forces within the State and in the world at large must be brought under complete control, tamed, and humanized for the benefit of all. Any system, therefore, under which either the *bourgeoisie* or the proletariat uses the State as an arbitrary and partisan instrument of coercion against the other offends against our own concept of the dialectic and is bound to fail, because, since it is grounded in mutual hatred, it of necessity contains within it the germ of its own eventual dissolution. We believe that if a slogan were to be coined for socialism, it would have to be in the following terms: 'From each according to his ability and to each according to his deed or need as the case may be' This is more embracing and equitable than the other two which we have quoted before.

The procedure for achieving our brand of socialism can now be stated. First the goal must be quite clearly declared; and second, the method of attaining the goal must be carefully worked out, bearing in mind always that the touchstone of any economic, or for that matter any social, policy, which has any chance of progressive and harmonious success and of benefitting all those whom it affects, is love.

Beginning then with the statement of objectives, *we declare that the aims of socialism are social justice and equality, and a state of affairs in which the resources provided by Nature belong to all the citizens equally, and the products of the union of land and labour are appropriated to labour of all gradations and skills through the media of good wages, respectable standards of living, abolition of unemployment, free provision of social amenities such as education, health, etc.*

These objectives may be stated in more concrete terms. They are: (i) the abolition of rent, dividend or profit, interest and inheritance;

(ii) the legal elimination of the *rentier* class; and (iii) the recognition that all the able-bodied citizens of the State are workers or labourers of various gradations and skills, and that this being so all able-bodied citizens who work or render services to the State are entitled to remunerations only in the forms of salaries or wages of various scales. By 'work for or services to the State' we mean all such work or services as can count towards the calculation of the State's Gross Domestic Product, including domestic and military services. In a socialist State only the person who does a good day's work in the services of the State sits on the throne: anyone else who does is a usurper and impostor. (We would like to say in parenthesis that it does require some kind of skill to be a good messenger, street sweeper, wood cutter, or water drawer.)

Our reasons for these objectives are obvious from what we have said in Chapters 6 and 7. Rent, in the main, is unearned and, in so far as it is a return on capital in the form of dividend or profit, it is unjustified, having regard to the nature of land and the manifestly unfair reward which goes to it under the forces of supply and demand. Dividend or profit to an absentee share-holder, on accumulated capital which, as Marx rightly puts it, is 'crystallized robbery', or on new capital which is incipient theft, is grossly unjust. In the case of an entrepreneur-shareholder, dividend or profit in addition to his salary is absolutely unjustified. Since savings are either deliberate or inevitable, they do not require special inducement in the form of interest. Inheritance of wealth from any of these sources is palpably ill-gotten.

In the achievement of the socialist ends which we have adumbrated above, three broad methods of approach assert themselves and demand attention.

(i) *Consumption must be regulated by legislative acts.*

The legislators in any given period should know what is good for the masses of the people whose accredited representatives they are. But they must be judiciously and wisely guided. Though man's WANTS are infinite and incapable of regulation, yet his NEEDS are limited, ascertainable, and amenable to statutory regulation. For instance, he *needs* food, clothing, shelter, and avenues of knowledge,

in such quality and quantity as will enable him to enjoy sound health in body and mind, and human dignity. He, however, *wants* alcoholic beverages, tobacco, tea, coffee, pornographic books and such-like poisonous materials; he wants prestigious house, furniture, and other forms of conspicuous and fashionable consumption; he *wants* all these things and *desires* them very badly to satisfy his whims, caprices, vanity, and aberrations; but God knows that he *does not need* them. Indeed in order to live a full and happy life he must eschew injurious consumption at all times, and avoid conspicuous, fashionable, and prestigious articles until the majority of the people among whom he lives can afford them. At every stage in its development, there is a minimum standard of living which the State must guarantee to every one of its citizens. There should also be a maximum standard which no one is allowed to exceed. The gap between permissible minimum and maximum must be so strictly regulated as to ensure the least possible friction and disaffection among the entire populace.

We admit that human nature cannot be attuned to monotony. Indeed, it may be said with a good deal of justification that variety is the spice of life. But we would like to emphasize that a capricious and insensate craving for senseless variety does lead to enormous and unnecessary waste of resources; to disruption of productive programmes; and to eventual social disaster. It is necessary also to emphasize, under this heading, that just as the comforts and luxuries of one era may become the necessities and comforts of the succeeding epoch, so what is a necessary to one class of citizens may be a luxury to another. A car, for instance, is necessary to a medical practitioner who has to attend to patients in different parts of a city or town; whilst it is decidedly a luxury to the dispenser who works in his clinic.

(ii) *Restitution, restoration and prohibition should be enjoined by legislative acts on all those who already own the means of production or are about to own them.*

In other words, all the means of production should be vested in the State. In the case of those who already own the means of production, they should be made to surrender them in return for a *fair*

compensation—which phrase will be clearly defined in the relevant Acts by the legislature. In the case of new aspirants, all channels of acquisition of private property and the means of production must be blocked. In so far, however, as any means of production remains in private control, the State should set a statutory maximum limit to the income to which any one of those in control shall be legally entitled. The income ceiling will vary from occupation to occupation, and must not exceed, in real terms, the remuneration paid to anyone directly employed by the State in a comparable occupation.

(iii) *From time to time, swift and positive steps should be taken by the State to forbid and stamp out any venture or undertaking which is motivated by greed, and is capable of generating hatred, bitterness, and undue and widespread dissatisfaction.*

There are a number of formidable objections which, we know, will be urged most vigorously against our statement of social objectives, and of the methods of approach. Some of these are traditional objections which have always been raised against socialism as such; and others are objections which will be advanced against us by socialists of the Marxist-Leninist School. We will state and dispose of these objections briefly, but as fairly as we can. Only seven of such objections appear to us to be worth examining.

ONE: It has been said that there can be no personal freedom in a socialist State. For one thing, Marx and Engels, the great progenitors of modern socialism, have ruled this out; and for another, there can be little, if any, personal freedom anyway under a system which regulates consumption, destroys individual freedom of enterprise and private property, and vests the means of production in the State.

We have already, we believe, clearly distinguished our brand of socialism from the Marxian brand. But *ex abundanti cautela*, we would like to make a few additional remarks.

We do not at all subscribe to the dictatorship of the proletariat, nor do we think that it is necessary for the latter to use the State as an instrument of arbitrary and partisan coercion against the *bourgeoisie*. Before the attainment of power by the proletariat, violent

conflicts between it and the *bourgeoisie* have almost invariably arisen simply because, wherever they were well organized and entrenched the *bourgeoisie* (who were always in the minority) had never been known to surrender power to the proletariat (who were always in the majority) in anything like a free and fair election. The *bourgeoisie* were always determined to retain control of the paraphernalia of State for their own exclusive benefits by hook or by crook. There are, however, only two known modes of effecting a change or transfer of power: by peaceful means or by force.

A greedy, corrupt, and evil administration is bound to wither, sooner or later, in the face of obsessive desire and mounting clamour on the part of the masses of the people for a welfare regime which will benefit all equally. In the course of time there will be a clash of desires and wills between the exploiters and the exploited. This clash of desires and wills will stir the universal mind into action, and a situation will then arise which will bring about the termination of or radical change in the greedy, corrupt, and evil regime. Contemporary experiences have shown however that such a termination need not be by violence involving bloodshed.

In any case once in office it is unnecessary for the proletariat to maintain themselves in power by suppressing the *bourgeoisie* at all let alone to the point of extermination.

We appreciate the fact that the displaced *bourgeoisie* will strive to regain power by all means, especially by foul means. But we are of the considered opinion that, if the proletariat who are now in power are truly representative of the masses, and if the objectives being pursued by them are truly socialist and, therefore, more in harmony with the immutable law than not, then every effort on the part of the displaced capitalists to recapture power by foul means is doomed to fail and sure to rebound catastrophically on them, and in a manner which no human being can conceive. It is lack of understanding of the universal mind, therefore, and of the never-failing efficacy of its workings when put into motion by constructive thinking that makes people fear evil-doers and devise elaborate plans for their destruction.

The Greeks of old did say that anything pushed too far tends to

produce its opposite. We agree, subject to this qualification. Any evil act or measure of whatever kind which is perpetrated or seriously contemplated, is bound to produce its opposite to the same extent as the force and earnestness with which it is perpetrated or contemplated. But if the act or measure is good and beneficial both to the author and others whom it affects, then, instead of producing its opposite, it will attract circumstances and conditions which will help its acceleration and proliferation. In evoking the aid of the universal mind, therefore, all that is important is for the persons concerned to fix their objectives, determine their contents and nature, and set about such plans as may from time to time suggest themselves for the accomplishment of the said objectives. The universal mind can be absolutely trusted to play its part: it will, by processes which no human mind can possibly conceive, fructify all good plans, and actualize evil ones for the discomfiture or ruin of their authors.

Beside all that we have said, two dangers appear to beset those who live under the auspices of the dictatorship of the proletariat. In the first place, by vesting their representatives, that is the State, with the power of suppression, partisan coercion, and extermination over the capitalists, they are themselves running the risk, which we now know from experience to be real, of this same power being used against their own numbers. In the second place, suppression; coercion except in accordance with the execution of a lawful judicial order; or extermination in any shape or form, is evil and therefore out of harmony with the immutable law. These evil deeds are bound to bring their kind on those who perpetrate them.

From all that we have said, it should be clear that there is no antithesis whatsoever between our own brand of socialism and personal freedom.

But we have, like other socialists, insisted on the regulation of consumption, the abolition of freedom of individual enterprise and private property, and the State control of the means of production, and still maintain that personal freedom can in no way be imperilled by these measures. We have good reasons for our stand-point.

In a family, the *paterfamilias* does not allow every member to consume just what he likes. He sees to it, because this is a duty

which Nature herself lays on him, that each member consumes only such things as will redound to his health both in body and in mind. He strictly forbids him to consume anything that is poisonous and injurious; anything which is so conspicuous and luxurious as to corrode his soul, undermine his character and integrity, corrupt his manners, or unduly embitter and excite the envious feelings of the other members of the family. If he allowed these things to happen, the health of the family would be weakened, and its cohesion, peace and tranquillity would be impaired. It is the duty of the State to do to every citizen what the *paterfamilias* does in this regard to every member of the family.

We fully appreciate that in the realm of political economy, nothing has intrinsic value, however good and precious it may be in itself. On the other hand, anything, however dangerous to health or morality it may be, has value if it is wanted by some people, however crazy and erratic such people may be. It is the duty of the State firmly to contain and eradicate all those conditions which tend to encourage these eccentricities and lunacy.

As a matter of fact, the State does recognize this duty, but only partially. The State is fully aware that alcoholic drinks are injurious to health, yet it has neither the will nor the courage to legislate against its consumption. The State is wise to legislate against the circulation of obscene books and the unrestricted consumption of poisonous drugs. It is also wise to legislate against suicide. But it is certainly abdicating its duty by allowing people to take slow and cumulative poisons by the unfettered consumption of alcoholic drinks, tobacco, coffee, tea, etc. The insidious effects of this consumption are incalculable. Those concerned not only fan their vanity, greed, and selfishness, but also aggravate the bitterness and venom of the poor in the process.

Therefore, if a man is not free to commit suicide; if he is not free to possess and consume any drug of his choice, whether poisonous or not; if he is not free to commit the nuisance of making noise to the annoyance of his neighbours, then he has no right to complain if his freedom in regard to certain classes of consumption is denied. If the one does not amount to a denial of personal freedom, the other definitely cannot.

The iniquities of freedom of enterprise and private property, and of vesting the means of production in private hands, have been sufficiently exposed in Chapter 7, and we do not wish to repeat, nor do we intend to improve upon, the remarks which we have made in that chapter.

TWO: It has been and it is still being contended that it is naïve to believe that a socialist State, or socialism in any country, can be achieved through democratic and legal means. Those who hold this view, rest their case on the authority of Marx and the experiences of countries where socialism is now the order of the day.

Says Marx in *Capital*: 'force is the midwife of every old society pregnant with a new one'. In other words when the antithesis in its war of attrition with the thesis is about to give birth to the synthesis, then an explosion or force is inevitable. We have already stated our views on violence or force under ONE above. We only wish to say, in further clarification, that all that is imperative for those who believe in socialism to do is to make sure that both their objectives and methods of approach are good, constructive, and beneficial to all, even though those who are adversely affected materially assert or believe the contrary. Once these criteria are satisfied, the socialists should leave the actual mode of accomplishment to the universal mind which may or may not necessarily bring about the use of force or violence. Since, in our view, the thesis, antithesis and synthesis are processes which take place in the minds of men and hence stir the universal mind into action for the achievement of specified ends, the factors involved are too subjective for human reasoning to fathom. Consequently, it is impossible to make an authoritative pronouncement which must hold good for all cases and at all times. Our own view, therefore, is that violence or revolution is not inevitable as a means to socialism. If, in the process of introducing socialism sincerely and democratically, violence is used, it will not be because it was contemplated or intended by those who plan to introduce it by democratic and legal means but rather perhaps because, having cognizance of the deep-seated and uncompromising antagonism of the capitalists and their determination to employ violence and fraud to prevent the introduction of what is generally

beneficial, the universal mind sees the method of violence as the only efficacious means to the ends in view.

But once socialism is introduced by any means, it should be possible to maintain it by democratic and legal means. Those who continue to oppose it and in their opposition adopt the methods of violence, fraud, bitterness, or destruction will only find themselves in unequal combat with the transcendental and insuperable forces of the universal mind working for the elimination of all that is evil, under the influence of the dialectic thoughts and actions of true and dedicated socialists.

So much for the theoretical basis of this contention. With regard to the experimental basis, it is unfortunate that while the paths trodden by all truly socialist countries in Eastern Europe and Asia are profusely stained with blood, none of the democratic countries of Western Europe, America, and Asia has achieved true socialism to set a contrary example and precedent. The economic hotchpotch in Britain is certainly not socialism. But the universal mind which is omnipotent, omniscient, and omnipresent is not bound by precedents. Whatever good and beneficial ideals are held in the minds of men, especially in the minds of the vast majority of the people, and cherished by them, will materialize sooner or later, provided the people concerned remain constant and faithful in cherishing the ideals and in devising constructive means for their achievement.

THREE: It has been argued *ad nauseam* that without the powerful incentive provided by the profit motive and private property, economic progress would be very slow and, in any case, will not be as rapid as it otherwise would have been. Now, proceeds the argument, since socialism does not encourage the profit motive or individual initiative in economic enterprise, a socialist State is doomed to slow economic growth. At any rate, concludes this line of argument, it is inequitable and unfair in the extreme that the risk-bearer—the person who stands to lose everything—should be denied his just reward if, perchance or by dint of careful and efficient organization, it comes. Four points call for comment here. They are profit motive, incentive, individual initiative, and reward for risk-bearing.

What is euphemistically called profit motive is nothing but greed, and naked and unabashed self-interest. We already saw in Chapter 6, and in any case we are all familiar with the various ways by which the profit motive is realized in practice. They are, for the most parts, unedifying, immoral, and larcenous. Any system, therefore, which encourages these evil ways should be abolished.

With regard to incentive, we would like to recall that there are four agents of production: land, labour, capital, and entrepreneurship which are rewarded respectively with rent, wage, interest, and profit. We know that rent offers no incentive to the production of land. It is, in polite terms, an unearned income pure and simple. But in plain, blunt terms, it is a fraud on Nature and humanity.

We have shown that interest is unjustified and that deliberate and inevitable savers do not need it to make them save. The iniquity of paying interest is aggravated by the fact that the capitalist of today appropriates to himself, in addition to interest, the reward (profit) which used to belong to the entrepreneur, without performing any of the functions of the latter. In any case, after the socialization of all the means of production, the State will acquire all existing capital, while new capital will belong to it on formation.

As for the entrepreneur, he is no longer the 'Captain of Industry' that he used to be: that is, the enterprising man who combined initiation and co-ordination of productive activities with ownership of capital. He is now a salaried employee of the capitalists, who are themselves nothing more and nothing less than absentee and idle earners of dividends. Except in order to indulge his appetite for naked self-interest and posthumous greed as well as for anti-social, injurious, conspicuous, and prestigious consumption, the more these idle absentee capitalists earn, the less incentive they have for providing more capital.

Concerning risk-bearing, we all know that when a businessman incurs loss, it is due to one or all of the following causes: bad planning or planlessness, mismanagement, act of God, *force majeure*, or some unforeseen events in the state of supply and demand, arising from the actions of other producers or of consumers.

We sincerely hope that no one is seriously insisting that anyone should be recompensed for bad planning or the lack of it, or for

mismanagement. In all human endeavours, good and scientific planning is possible. Anyone who, in ignorance or recklessness of the facts and methods which lead to good planning, loses his enterprise should not expect any recompense or reward from society, if at a later stage he makes a success of the venture. When those who are engaged in the work of exploration, discovery, and invention lose, nobody takes notice of them and they are never at any time subsequently rewarded, though their efforts may be the bases from which others proceed to make actual and successful explorations, discoveries, and inventions which are epoch-making. Why should businessmen be treated differently? In other words, each year of business enterprise should be treated in watertight isolation. We are, all of us—whether in business or not—at one time or another victims of the act of God or *force majeure*. Whenever those of us who are not in business fall victims to these forces, we bear our losses in silence and without any hope of eventual reward. The businessman should not be treated differently. Furthermore, when a businessman loses as a result of some unforeseen events in the state of supply and demand, he is only reaping a bumper harvest from a state of planlessness and chaos to which he has generously contributed. And having made his bed of thorns, he must be compelled to lie on it without any relief whatsoever.

From these brief observations, and from what we have said earlier on on the same point, it is clear that the only agent of production which deserves to be given incentive is labour; that is, labour of various gradations and skills, including the so-called entrepreneur.

Give labour the necessary incentive and, granting that it is sufficiently educated and enlightened, it will exploit land diligently and compel it to yield its fullest possible increase.

What labour has always asked for by way of incentive, and what it (including the so-called entrepreneur) is being given now to that end, are wages and salaries and decent conditions of work. Labour has never asked for interest or profit or rent.

As long as greed, cunning, and naked self-interest are munificently rewarded, so long will people regard them as the only driving force for initiative and efficiency. But if society shifts the emphasis and rewards other-regarding economic activities which are designed

for the benefit, pride, and prestige of the people at large, altruism will become an equally powerful motive force for productive activities. Athletes, sportsmen, explorers, discoverers, inventors, artists, and *literati* have in their great and ennobling undertakings shed greater lustre on mankind in general, and on the entire society to which they belong, than the capitalists have ever done or can ever pretend to do while they last. These great and immortal men are the real innovators and accelerators of social progress. Indeed, without the explorers, discoverers, and inventors, capitalism would never have had the success which we previously noted to its credit. Yet these outstanding men were known to have pursued their arduous but epoch-making undertakings partly for the love of the undertakings themselves, and partly to gratify their respective desires to widen the horizon of human knowledge and achievements. They spurn the profit motive, and shun greed and selfishness as plague. The only reward they ask for is success in their particular venture or field and the gratitude of their people. It is gratifying that the masses of the people who constitute the bulk of the labour force have these qualities latent in them. They can and should be awakened, developed, and harnessed.

FOUR: The detractors of socialism have said that it is one thing to vest the means of production in the State; but it is another to manage productive activities as efficiently as the capitalists. They maintain that State officials, by training and tradition, are unqualified to handle industrial and business management efficiently and successfully. Well said. But that does not stop us from countering that this contention is extremely fallacious.

As long as greed or naked self-interest remains the driving force in any undertaking, State officials just cannot cope. They are trained to serve the entire public, and to work for the public weal, with as much dedication and selflessness as possible. In any race, therefore where SELF is the prize, and GREED is the automatic starter, State officials are just incapable of making any start at all, not to talk of being able to compete with those whose sole pursuit in life is SELF, and whose only driving force is GREED. It is, therefore, erroneous and fallacious in the extreme to compare State officials

with the capitalists. And lest we forget, it must be pointed out in this connection that the so-called entrepreneur is today more or less in the same category as a State official, save that the former is expected to serve the interests of his employers to the exclusion, prejudice, and detriment of others in the same industry or competing trades as his employer. The State official has no such circumscribed and antagonistic sphere of operation. The whole State with its entire people is his parish. It follows, therefore, that in a socialist State where greed is discouraged, and the welfare of the people is enthroned, State officials will be just as efficient as, maybe even more efficient in this atmosphere than the entrepreneur; that is, granting that other things are equal.

We have been told of the corruption and red-tape which exist in the public service, as if the business world itself is a kingdom of purity and despatch. The truth is that we only hear of those few industrial ventures which succeed because of the probity and diligence of their organizers. The world rarely hears of those innumerable ones which go bankrupt and die, because of ineffable corruption, inefficiency, and complete lack of despatch. Anyway, we now know from the experiences of socialist countries, and even of Britain, that State officials can manage industrial and business ventures efficiently and successfully, under an atmosphere free from greed and naked self-interest. Finally, on this point, it is pertinent to stress that the management of public ventures need not be left exclusively in the hands of State officials who were trained and brought up as such. Those citizens who have acquired expertise in industrial and business management, and who have adapted or are prepared to adapt themselves to the new dispensation, should be drafted into the public service and converted into State officials for the purpose of the efficient and successful management of public ventures.

We concede that many under-developed countries will be hard put to it to mobilize a sufficient number of indigenous State officials with the requisite probity and expertise to manage their public undertakings. But this line of reasoning presupposes that a country is necessarily compelled to restrict employment only to its citizens. This, as we all know, is certainly not and cannot be the case. Any skills in which a country is, for the time being, deficient could be

hired from abroad, until its own citizens have been trained in sufficient numbers to provide them.

FIVE: It is contended that without the aid of the price mechanism such as obtains in a competitive market, production can neither be intelligently planned nor efficiently executed. Consumers' preferences will not be clearly indicated; and consequently the things that are required will not be produced in the desired quantity and quality, and those that are produced may be such as nobody wants to consume.

In Chapter 6, we have seen the price mechanism at work, and we are sure that not many people outside the capitalist circles will be fascinated or even be impressed by its performances. In a free economy, it is uncontrollable; and when it is given free rein it is cataclysmic in its operations.

The price mechanism does four main things: it determines what is to be produced, what quantity should be produced, the optimum standard of proficiency in production, and what share of the gross product should go to each of the agents that participate in production. We know too well by now that it does all these things blindly, impersonally, ruthlessly, inequitably, iniquitously, without regard to morals, and with great and incessant hardship to most members of society. The supreme objective claimed for the price mechanism is to bring about supply-demand equilibrium. In the modern history of man, the price mechanism has never at any time macro-economically achieved this objective; and we predict that because of the evils inherent in it, it will never achieve this objective in the future in a capitalist economy.

Under socialism, however, the price mechanism will have a part to play. But its role will be confined to two spheres instead of four under capitalism. From among the range of goods available for consumption, it will serve as an indicator of what quantity and quality should be produced; it will, in addition, help to determine the optimum standard of efficiency as between one firm and another in the same industry and in analogous or allied undertakings.

SIX: The view is widely but erroneously held that socialism is anti-God, anti-Christ, and anti-Mohammed. One of the slogans of the

early Bolsheviks confirms this. It runs thus: 'Banish the gods from the skies, and the capitalists from the earth, and make the world safe for social democracy'.

It is a fact that socialists of the Marxian persuasion do not believe in God, in Jesus Christ as a physical emanation of God, or in Mohammed as a chosen Prophet of Allah. Two main reasons are discernible for the Marxian attitude.

The Marxists accept only the Realistic Theory of Knowledge and view the events of nature and of history in terms of the conflicts of material forces which are objectively demonstrable.

Besides, since the demise of those Apostles who knew or were contemporaries of Jesus Christ, and all through the Middle Ages down to modern times, the clergy were so involved in the iniquitous acquisition of property, and the exploitation and oppression of the working class, that their claim to be the messengers of God coupled with their eloquent apologies for capitalism led socialist revolutionaries to regard God as incapable of any benevolence, beneficence, or justice.

For ourselves, we believe in God, and believe that He is the Creator of the universe. We believe that He is the universal mind which permeates and pervades all things. Unfortunately, we have neither the time to embark, nor do we think this is the place for embarking on, a reasoned exposition and substantiation of these *a priori* propositions. For the present we would like to content ourselves with asserting that socialism and all the great religions including Christianity and Islam have the same objectives. No practice illustrates the principles of socialism or communism better than that which obtained among members in the early Christian Church. In the Acts of the Apostles, Chapter 4, verses 32-37, it is written as follows:

The whole body of believers was united in heart and soul. Not a man of them claimed any of his possessions as his own, but everything was held in common, while the apostles bore witness with great power to the resurrection of the Lord Jesus. They were all held in high esteem; for they had never a needy person among them, because all who had property in land or houses sold it, brought the proceeds of the sale, and laid the money at the feet of the apostles; it was then distributed to any who stood in need. For instance, Joseph, surnamed by the Apostles Barnabas (which means 'Son of Exhortation'), a Levite, by birth a

Cypriot, owned an estate, which he sold; he brought the money and laid it at the apostles' feet.

It must be added for good measure that when Ananias and his wife Sapphira sold their properties and, in fraud of their Christian brethren, kept part of the money back, Peter, so they say, pronounced a sentence of death on each of them at intervals of three hours, and they separately dropped dead at his feet.

This socialist or communist practice of the early Christian Church was so abused by idlers that Paul was obliged to write in II Thessalonians 3: 6-12, as follows:

These are our orders to you, brothers, in the name of our Lord Jesus Christ: hold aloof from every Christian brother who falls into idle habits, and does not follow the tradition you received from us. You know yourselves how you ought to copy our example: we were no idlers among you; we did not accept board and lodging from anyone without paying for it; we toiled and drudged, we worked for a living night and day, rather than be a burden to any of you—not because we have not the right to maintenance, but to set an example for you to imitate. For even during our stay with you we laid down the rule: *the man who will not work shall not eat*. We mention this because we hear that some of your number are idling their time away, minding everybody's business but their own.

It is pertinent to observe that the motto of the Soviet Union—*The man who will not work shall not eat*—is borrowed from Paul the Apostle of Christ, without the courtesy of an acknowledgment.

Though the practice of communal living of the early Christian Church has fallen into desuetude, the ideals remain, and they are substantially identical with socialist ideals. What goes for Christianity goes for other religions, such as Islam, as well. There can, therefore, be no real antagonism and antithesis, as regards principles, between socialism and religion. Indeed, because of their indisputable identity of principles, they should both be mutually sustaining.

SEVEN: When all this has been said, it is contended that it is possible to achieve the goal which socialism sets out for itself without adopting its declared methods of regulating consumption, and vesting the means of production in the State. The so-called socialist ends, the contenders continue, can be attained by planning through the means of invisible social controls which can be exercised by the manipulation of the market and the price mechanism, by the judicious em-

ployment of the monetary and fiscal weapons, by fostering the mobility of resources including manpower, and by the rationalization of international trade, etc. By doing all this the profit motive, which is the only powerful incentive to productive activities, will be retained, and, at the same time, the social objectives envisaged by the socialists will be achieved.

Three things are fundamentally wrong with these contentions. Firstly, we have seen that greed is evil and that anything which is evil is bound to disintegrate and perish in the course of time. But greed is the basis of capitalism, whether subjected to invisible social controls or not. Secondly, for one thing the so-called invisible social controls are not exercisable, nor are they ever exercised, until there is a sign of trouble; and by such a time, it is already too late to mend. For another, experiences, over a long period of time, have shown that these invisible social controls, even when they have been wielded under the guidance and close surveillance of the ablest economists, have failed woefully to prevent disaster, and ever-recurrent crisis and painful upheavals in the capitalist economy. Thirdly, where individual greed or naked self-interest is bliss, it is impossible successfully to produce and execute any plan which aims at benefitting all and sundry equally.

Before we come to the end of this chapter, certain important issues deserve attention and consideration.

Socialism, as we have said, and as it is generally agreed by all socialists, is a normative social science. Before any theory at all can answer to the name of science, it must be of universal application. If any principle is purely and strictly peculiar to a given institution, region, or State, it may be a custom, practice, or even a theory, but it certainly cannot lay claim to the status of science. Just as there can be no African ethics *qua* Ethics as a science, or African logic, so there can be no African socialism.

Those who have spoken of African socialism, or Pragmatic African Socialism, have fallen into three major errors.

In the first place, the protagonists of African socialism have mistaken certain African customs and social practices for socialism. Such practices and customs as savings through *Esusu* (thrift) society,

and the family or communal ownership of land, do not by themselves amount to socialism, especially when family ownership of land and means of production go side by side with communal ownership of land, leading from time to time to violent conflicts between one family and another, or between one or more families and the rest of the community.

In the second place, though there was, by and large, absence of greed in primitive African communities for material acquisitions and extensive ownership of private properties, this, in our view, was not due to any adherence to the principles of socialism of which they were never conscious, but rather to insuperable physical obstacles to such acquisitions and ownership. In the absence of adequate and efficient communications; in the midst of incessant inter-tribal and internecine wars, with their attendant grave insecurity to property and life; and in the absence of portable and durable means of exchange which, apart from anything else, could serve as store of value, the desire and the greed to accumulate the things of this world were reduced to the barest minimum. In the latter connection, it may be mentioned by way of illustration, that the medium of exchange in Yorubaland, before the advent of the British, was the cowry. Twenty thousand of these shells were known as 'One Sack', and it was equivalent to 5/-. It takes an able-bodied person to carry this 'One sack'. A man who owned 'One Sack' was regarded as wealthy; and the person who possessed 50 sacks, that is £12 10s., was a 'millionaire' and was reputed to be fabulously rich. Now, in time of emergency which necessitated flight in the face of the enemy, this 'millionaire' would require 50 able-bodied slaves to carry his monetary wealth.

In the circumstances, therefore, it would be madness for anyone to possess too much of either perishable farm products, or unwieldy cowries.

The invention of an easily portable and durable medium of exchange which, by itself, also has value, marked the beginning of excessive greed in the acquisition of material wealth. The improvement of communications also helped to fan this anti-social passion beyond all imaginable proportions.

As long as the barriers to extensive ownership of private property

existed, the Africans, like all primitive peoples in other parts of the world, lived a life of simplicity and contentment, which was comparatively free from the greed and naked self-interest that are prevalent in capitalist society. But as soon as these barriers were removed and a money economy was introduced, coupled with improvement in communications, the passion for the greedy accumulation of wealth became as sharp, venomous, and devastating in the Africans as in the other human inhabitants of the globe.

In the third place, in speaking of pragmatic socialism there is an obvious confusion between ends on the one hand, and methods of approach on the other. Viewed from any stand-point, whether it is the Marxist, the Maoist, the Titoist, or our own brand of socialism, the normative social objectives are the same, whilst the methods of approach are conspicuously different from one another. If circumstances so dictate, a pragmatic approach to the attainment of socialist goals in a particular country may be adopted. But the fact that a particular tactic is adopted does not in any way alter the fundamental ends, or thereby necessarily make such ends pragmatic in themselves.

We would like to point out that, in the foregoing sense, democratic socialism is on the same footing as pragmatic socialism. With this important difference that, while pragmatic socialism may be democratic or otherwise in its approach to socialism, democratic socialism must of necessity be democratic in its methods—at any rate, in the manner of its deep contemplation and actual planning by its adherents.

Mental Magnitude

THE SOLE OBJECT of our discourse in this book is man. So far we have seen him as a member of a family and of the State, possessing rights and owing obligations. We have seen him as a consumer and producer as well as an agent of production playing a part as the supplier of one or more of the four factors of production: land, labour, capital, and entrepreneurship. His success, in any sphere whatsoever in which he operates, depends wholly on the degree of his health, his intellectual comprehension, and spiritual depth. This is because the coefficient of his efficiency in all undertakings generally, and of his productivity in any economic venture in particular, is education in every sense of the word. A proper knowledge of man, therefore, and a thorough appreciation and competent application of the principles which must govern his physical culture, his mental development, and his spiritual self-realization, is indispensable to any efforts for promoting and guaranteeing his general well-being and happiness.

‘What,’ asks the Psalmist, ‘is man, that thou art mindful of him?’ And he proceeds to give an answer in the following words: ‘Thou hast made him a little lower than God, and crownest him with glory and honour.’

There are many who doubt this assessment of man by the Psalmist. Indeed, the majority of mankind tremble at the suggestion that man is only ‘a little lower than God’, whilst there are many knowledgeable persons who, not believing in the existence of God, can see no rational comparison between man and Him. In the estimation, however, of those who believe in Him, God is a spirit, whilst man is a corporeal physical entity. On the other hand, in the view of the atheists and agnostics, man is just *homo sapiens*—an evolutionary animal species of the primate class, corporeal in every sense and

'of the earth' or 'earthy'. It is easier for both classes of people—the theists and atheists—to regard man as a being with body—with five senses and with the instincts of self, herd, and sex—than to raise him on to any pedestal where he is remotely comparable with his Creator or any invisible being superior to and outside his physical existence.

Those who think of man in these terms do not realize that they thereby reduce him to a level just as low as, even lower than, that of the animals. We say this because the ordinary brute possesses the five senses sometimes in keener forms than man. The elephant has a better sense of smell than man; and in the keenness of sight and hearing, man is no match for the lion or the tiger. In regard to his instincts, the brute is even more balanced in his development than man. Gluttony is rare among animals; there are no courtesans among their females, nor lechers among their males; and their propensity to acquire material possessions is limited strictly by needs, and never motivated by sheer naked greed.

There is *something* then which differentiates man from the other animals. We shall seek more particularly to identify that 'something' later on in this chapter. In the meantime, we will examine man in all his facets as a physical entity, and outline the principles for enhancing his stature as such.

As a physical being, he has a body with various organs, nerves, tissues, and innumerable cells. He is endowed with the faculties of sight, hearing, touch, taste, and smell. He has innate dispositions, called instincts, with which Nature endows him at birth and which operate independently of his will, in order to ensure the procreation, preservation, and perpetuation of his species. According to McDougall¹ there are fourteen instincts which are grouped under the three heads of SELF, SEX, and HERD as follows:

Self Instincts

(1) Acquisition

(2) Combat

(3) Construction

(4) Curiosity

(5) Escape

(6) Food-seeking

(7) Laughter

(8) Repulsion

(9) Self-assertion

(10) Submission

Sex Instincts

(11) Mating

(12) Parental

Herd Instincts

(13) Appeal

(14) Social

It will be noticed that all those instincts which are known in popular parlance as the instincts of self-preservation, gregariousness, procreation, etc., are explicitly contained in the McDougall list just stated above.

There are significant differences between the senses on the one hand, and the instincts on the other. The physical senses are man's instruments for observation, analysis, judgment, reflection, and reason. The instincts, on the other hand, predispose him to emotionalism and impulsiveness. The employment of any of the senses is a conative act: that is, a deliberate act of the will. Whereas feelings which arise from instinctive dispositions are independent of man's will. The feeling of hunger, for instance, is independent of a man's will. Whether he likes it or not, when the previous meal is fully digested and his stomach is empty, he will experience the feeling of hunger. If he is affronted or insulted, his instinct of combat, coupled with the emotion of anger, is aroused independently of his will. On reflection, that is on the application of his faculty of reason, he may bring his will-power to bear to subdue his emotion and curb his predisposition to combat. In this instance, his faculty of sight probably tells him that the person who causes him offence is too big for him to tackle successfully, or too small to contend with reasonably. If he suddenly found his child trapped in a burning house, his immediate reaction, arising from the parental instinct, would be to run to his rescue without thought of his own safety. On reflection, his reason might direct him not to make the plunge, lest he and the child should perish, and his other children should become orphans into the bargain. And so on, and so forth.

The five physical senses then are rational and objective, whilst the instincts are the seats of all man's emotions. Some of these emotions can be regarded as positive and good, such as those of curiosity, sexual feeling towards one's wife or intended wife, escape in the face of actual danger, construction, creativeness or productivity, laughter, and acquisition for the satisfaction of one's needs. Others can be negative and dangerous such as anger, rage, fury, pugnacity,

aggression, resentment, hate, fear, envy, jealousy, selfishness, and acquisition for the purpose of hoarding and self-display.

If all the organs in man, together with the five senses and all the instincts, are balanced and functioning normally and harmoniously as Nature intends them to, there will be no such things as negative emotions like those we have just mentioned. There will be no deaf and dumb; nor will there be those who are physically blind. Barrenness will be unknown among women; prostitution and debauchery, murder and all other forms of crime, will be non-existent. Man would then live a full, happy, glorious and triumphant life.

But the organs are not always what they should be; the sense faculties are more often than not defective; and the instincts tend to overplay their parts. The reasons for all these eccentricities are not far to seek.

Basically, we are—all of us—what our ancestors and environment make us.

Whether we acknowledge it or not, the fact remains that our present individual tendencies and habits, be they physical or mental, are ordained for us by the cumulative physical and mental tendencies, characteristics and habits of all our ancestors since the epoch when man first made his appearance on our planet. Also, whether we acknowledge it or not, the fact is incontestable that our own tendencies and habits, plus those we have inherited from our ancestors, are—just as our ancestors' were—decisively influenced by our environment. The food we eat, the clothes we wear, the style of our buildings, our temper, prejudices and affections, our mode of thinking, the language we speak, even the diseases with which we are afflicted, are mainly and decidedly the results of heredity and environment.

The Chinese and the African have many things in common as members of the human race; but they differ significantly from each other, because they were respectively born and bred in China and Africa by Chinese and African parents. Similarly, there are many things common to an African born and bred in Ghana and another born and bred in Nigeria, because they live on the continent of Africa and in those parts of it whose geographical features are very much alike. But the peculiar ancestry and environmental circum-

stances of a Ghanaian, as distinguished from those of a Nigerian, mark the difference between the former and the latter. For the same reasons: a Nigerian of Yoruba stock, living in Western Nigeria, differs in his tendencies, idiosyncrasies and habits from a Nigerian of Ibo or Hausa stock living in Eastern or Northern Nigeria; just as individual Yorubas of distinct parental ancestries differ from one another, and so on and so forth.

From the description which we have made of him, we see man as possessing a body with five physical senses. The seat of these sense faculties is the brain and he can by an act of his will employ or refuse to employ any of these five senses. He also possesses, as we have seen, the INSTINCTS OF SELF, SEX, and HERD, which operate independently of his will. We have also seen that the body and the instincts of man are decisively and permanently influenced by heredity and environment. In other words man is the victim—happily not a helpless victim—of his ancestry and of geography. As we have previously noted, if all his physical organs and instincts functioned normally and harmoniously, man would be free, healthy, prosperous, and happy.

But we know that, speaking generally, man is neither free, nor healthy, nor prosperous, nor happy. Everywhere on our globe 'he is in chains': in the chains of disease, ignorance, poverty, negative emotions, and the naked greed of himself and his fellow-men.

The aim of education or of human culture in the broadest sense is, therefore, clear. It is to make it possible for man's physical organs as well as his instincts to function normally, positively, and harmoniously. We already know that this aim cannot be achieved, however much we may try, unless, at the same time, we succeed in removing all the rough edges and ill effects of heredity and environment.

It follows then that the cardinal aim of education is not, as is popularly but narrowly conceived, to teach a man to read and write, to acquire a profession, to master a vocation, or to be versed in the liberal arts. All these are only means to the end of true education, which is to help a man to live a full, happy, and triumphant life. In other words, any system of education which does not help a man to have a healthy and sound body, an alert brain, and balanced and

disciplined instinctive urges, is both misconceived and dangerous.

It is, therefore, our considered opinion that the education or culture of man should be approached on some broad fronts which we now proceed to specify.

In the life of man, five necessities can be discerned. They are: air, water, food, shelter, and clothing.

These necessities have been stated in descending order of importance to man. But because of its unlimited abundance and its ready availability, air is taken for granted by man; and the generality of the people have never cared much to reflect on its importance to man's existence, let alone its importance to man's healthy and happy existence.

The air we inhale and that which we exhale are differently composed. The one consists of:

1. Nitrogen	79.00%
2. Oxygen	20.95%
3. Carbon dioxide	0.05%

The other consists of:

1. Nitrogen	79.5%
2. Oxygen	16.5%
3. Carbon dioxide	4.0%

Of the air we breathe in, oxygen is by far the most important, though it constitutes only 20.95 per cent of the total volume. The percentage of carbon dioxide in inhaled air ranges from 0.02 to 0.05. For sound and healthy existence, it must never exceed 0.06% in volume.

It is an established fact, however, that the volume of carbon dioxide in the composition of the air we inhale varies in inverse ratio with the volume of oxygen. In other words, whenever the volume of carbon dioxide increases, that of oxygen proportionately decreases; and vice versa. This proposition is clearly borne out by the composition of expired air set out above. There it will be seen that carbon dioxide gains 3.95% from oxygen, whilst the latter loses only a bare 0.5% to nitrogen. That is to say, proportionately we inspire more oxygen, but expire more carbon dioxide.

Furthermore, it is an established fact that oxygen is present in requisite volume in open air, and in a well-ventilated house. On the other hand, carbon dioxide is present in greater volume than is required for healthy living in an unventilated house or compartment. A still greater volume of carbon dioxide will be present if the burning of firewood, paraffin, or charcoal—a fairly rich source of carbon dioxide—also takes place inside the unventilated house or compartment.

We have noted that less oxygen, and hence more carbon dioxide, than is proportionately-relatively present in the open air or in a well-ventilated house or compartment, is dangerous to man's healthy and happy living. It follows, therefore, that man should on no account—that is if he desires to live a healthy and happy life—inhabit an unventilated house or compartment, nor should he allow the burning of firewood, charcoal, or paraffin in a naked lamp, in the living parts of his house.

It follows further that the provision of modern houses, and even lighting, at moderate costs to the masses of the people is not at all a luxury scheme, but a necessitous project which any enlightened Government is in duty bound to pursue with speed and a sense of urgency.

The air we inspire is one thing, but the manner in which we inspire it is another. It is now generally agreed in civilized and educated circles that there is a scientific way of breathing. Most people, except the athletes and those who do work that involves physical exertion, do not use their lungs correctly or to the full. And to the extent that the lungs are wrongly or deficiently employed even so much is a man's breathing defective and his chance of health proportionately diminished. It is the lungs that purify the blood with which the heart feeds every one of the numerous tissues and innumerable cells of the body. If the blood is pure and rich, the organs of the body will be healthy and rich. The converse is also true.

It is clear, therefore, that it is not enough that man should breathe in pure air; it is equally important that his lungs should be filled full, so that by the latter working to the full extent of their capacity, the requisite quantity and quality of blood will flow in the veins of man.

The next necessity of life in order of importance is water. It has been estimated that more than 60% of the diseases with which Nigerians—and indeed Africans—are afflicted are waterborne. In other words, the incidence of disease among Nigerians will, other rules of health being observed, be considerably reduced by the simple process of making the water we drink free from bacteria and impurities. The quality of water we drink directly or indirectly is, therefore, a vital issue in human education and culture. This proposition is fully supported by the educated members of our society. But in practice, this class of people—even the professional teachers among them—pay very little regard to the quality of the water they drink, whilst the masses of the people are prepared to imbibe any liquid, from any river, stream or pond, to quench their thirst.

As we have seen, the ignorance of our people regarding the quality of the water they drink is colossal. But only very few people in Nigeria—or in the whole world for that matter—pay any attention at all to the quantity of their daily intake of liquid.

It is not generally realized that 70% of a man's body weight is water. It is probably well known—since the fact is too palpable to be overlooked—that the bulk of the blood and intercellular fluid in the body consists of water. What is definitely not generally known is that the water content in various parts of the body must be maintained at a fairly constant level. For instance, there must not be too much or too little water in the blood.

An excessive intake of water or liquid will overtax the kidneys, and can even produce fatal water poisoning. Similarly, a deficient intake or a relatively excessive loss of water or liquid will produce dehydration which depending on its degree, will result in ailments or death.

It has been physiologically established that the average daily water balance for an adult is approximately as follows:

Drunk as such	= $2\frac{1}{2}$ pints	Lost in urine	= $2\frac{1}{2}$ pints
Contained in food	= $1\frac{1}{3}$ pints	From skin surface	= 1 pint
From oxidation of food	= $\frac{1}{2}$ pint	From lungs	= $\frac{2}{3}$ pint
		In faeces	= $\frac{1}{6}$ pint
<hr/>		<hr/>	
Total	= $4\frac{1}{3}$ pints	Total	= $4\frac{1}{3}$ pints

Assuming that we neither overfeed nor underfeed, and granting that our diet is balanced and of the right quality, the quantity of actual water or liquid which we need take a day is $2\frac{1}{2}$ pints. It is the duty of the educators and teachers to break this down into so many glasses and calabashes of water, mineral water, beer, or palm wine.

Just as the air we breathe and the water we drink must be of the requisite quality and quantity, so must be the food we eat. Most people fill their stomachs without regard to the quality of the food they eat; whilst many believe that it is a mark of affluence to overfill their stomachs.

For healthy and happy living, the food we eat each day must have the following chemical constituents:

- (1) *Carbohydrate*: this is mainly energy-giving, and is obtainable from sugar, starchy foods, cellulose, etc.
- (2) *Protein*: this is mainly a body-builder, and it is supplied by lean meat, white of egg, beans, cheese, etc.
- (3) *Fat*: this is heat-giving, and can be derived from fat meat, edible oils, butter, etc.

These constituents must be taken in the right quantity and proportions. Otherwise, there will be deficiency or excess as well as imbalance in their supplies to the body, with injurious effects.

By the processes of mastication, digestion, respiration, and circulation, part of the food we eat is carried in the form of blood through the tissues to all the parts of the body. What is not wanted is eliminated in the forms of sweat, urine, and faeces. A deficiency or imbalance in the supply of food, therefore, means a lowering of the health and strength of the body as a whole. An excess of supply will overtax the various organs which are responsible for distributing to the body such part of the food as is requisite for man's balanced growth and development. The result is obviously ill-health.

Apart from carbohydrate, protein, and fat, there are two other chemical constituents of food which are indispensable to the normal and healthy growth of the body, and the constant maintenance of its health. These are VITAMINS and MINERALS. Many diseases such as eye-trouble, bad teeth, rickets, sterility, constipation, and various nervous disorders are caused by the absence or deficiency of vita-

mins and minerals. The vitamins are classed as A, B, C, D, and E—more are still being discovered; while the minerals include iron, phosphorus, cobalt, copper, zinc, etc.

Vitamins and minerals are present in practically all the foods we eat, but not always in the quantities requisite for the health of the body. Certain foodstuffs, while they provide carbohydrate, protein, and fat, are also rich in vitamins. Such foodstuffs include eggs, fresh fruits, fresh and uncooked vegetables, unpolished rice, boiled (not roasted) maize, palm oil (not fried), etc. Fruits, because they possess indigestible stuffs which exceedingly facilitate and promote bowel movement, are essential to health and must be taken regularly. Ignorance concerning the value of fruits is so deep that the eating of them is regarded in educated circles as a demonstration of wealth or fashionable consumption, while the average farmer would rather sell all the fruits produced by him, than eat any of them. He should be told—indeed all of us should be told—that the more fruit we eat, the greater our chances of good health.

Without air, man can live for a few minutes only; without water, for a few hours; without food, for a few days; and without shelter for a few months or even years. But he can live to a good old age without clothing, provided he has some sort of shelter underneath which he can protect himself against the rigours of the ever-changing seasons. It is commonplace, however, that a life without shelter or clothing is a most primitive and wretched life indeed.

For healthy and happy living, therefore, man needs a shelter which is decent and well-ventilated, and clothing which is clean and adequate. In some parts of the country there are rules—mostly enforced in the breach—which govern the building of new houses to ensure conformity with health requirements. But in most parts of the country, people are left free to build according to their ignorant fancies, and largely after the pattern of their primitive ancestors. No one has made or will ever make the attempt to regulate by legislation the quantity, quality, and style of clothes which a person must wear at any given time. The masses of the people do not know—and only very few educated persons do know—that our health and survival depend on every one of the innumerable pores in our body being able to breathe as freely as we breathe through our nose. It has been

demonstrated, for instance, that a man can be completely suffocated, if all the pores of his body are totally closed and are unable to breathe for a sufficiently long time.

In the tropics, therefore, the lighter and the less tight the clothing, and the more ventilated the house, the better.

Even when all the requirements of air, water, food, shelter, and clothing, as we have adumbrated them, have been satisfied, there still remain four other vital requirements which must be satisfied before man can live a full, healthy and happy life. They are: (1) the eradication of negative emotions and the cultivation at the same time of positive emotions; (2) the sublimation of instinctive urges; (3) the understanding of and adaptation to environmental circumstances and conditions, and where necessary a complete reorganization and redirection of such circumstances and conditions; and (4) exercise. We will now proceed to deal with these four in the order in which we have stated them.

There are two systems of nerves in the body of man. They are:

1. *The Cerebrospinal Nervous System :*

This system of nerves has its centre in the brain, runs through the spinal cord, and branches off at different points along the spine to all the parts of the muscles. It is these nerves that control and direct the sensory-motor actions of man. In other words, it is these nerves that put man in conscious and voluntary communication with every part of his body. In short, this system of nerves presides over our organs of sensations and movement. With them, we hear, see, taste, touch, smell, move our limbs and body, and do conscious and objective reasoning.

2. *The Autonomic Nervous System :*

This system of nerves is distributed to the viscera and to the blood vessels. It is otherwise known as the involuntary or unconscious nervous system, because it controls and regulates involuntary bodily actions such as breathing, heart-beats, digestion, the functions of the liver, of the kidneys, and of other glands.

Even though this nervous system functions independently of our conscious or voluntary control or direction, yet all the nerve fibres of the autonomic nervous system are ultimately derived as an out-

flow from the cerebrospinal axis itself. With the result that our conscious or subconscious moods and emotions—be they negative or positive—have strong influence on the autonomic nervous system, and hence on the activities of the viscera (i.e. the heart, liver, kidneys, intestines, etc.) and blood vessels. Conversely, the autonomic nervous system, in its functioning, also has strong influence on the cerebrospinal system of nerves. In other words, there is a constant interaction between the two systems of nerves, which can in due course develop into a vicious or a virtuous circle.

Now, man's negative emotions, which we have previously noted, can be grouped into five, namely: anger, hate, fear, jealousy, and selfishness.

The literal meaning, emotional significance, and objective identity of these words are well known. What is not well known is the danger which each of these emotions constitutes to our health and our physical well-being. Some illustrations will now be given to demonstrate that a negative emotion is a real danger to health and physical well-being.

A man cannot, by an act of his will-power, and without any physical exertion, cause his heart to beat faster. But when a man becomes violently angry, his heart will immediately begin to beat much faster. The supra-renal glands will become unduly active and will pour into his blood an excessive amount of adrenalin fluid. At the same time, the liver will pour into the blood an excessive supply of sugar, whilst the lungs will have to work faster than normal in order to provide the extra oxygen which is required for burning the excessive sugar and converting it into energy for violent physical action.

Thus in the fit of anger, the adrenalin glands, the liver, and the lungs are unduly overworked and are made to supply, to the nerves and tissues, an excess of energy-supplying substances which become poisonous to the body as a whole. When the whole thing is over, there is tiredness in the limbs, and fatigue in the brain. All for being angry, and for no constructive end.

It has been wisely said, and can be easily discerned, that hate is anger which has crystallized into permanent form. No wonder then that it is popularly believed—and quite rightly so—that hate is

much more dangerous, and much more insidious in its deleterious effects, than occasional fits of anger. At the mere sight of the object of hate, or on a mere remembrance of him and the attendant circumstances, a strong emotion of anger wells up in the mind of the hater, and the nervous processes which we have described are at once set in motion. When this emotion becomes chronic, it has a way of ordering one or more of the visceral organs into action without any specific relation to the object of anger or hate. When this stage is reached, one or more of the sense organs, including parts of the brain, which is the seat of these organs, may be seriously and permanently injured. Because as we have noted, the autonomic system of nerves does influence the cerebrospinal system of nerves as effectively as the latter do the former.

Fear is the worst enemy of man. Says Shakespeare: 'Fear is a traitor and makes us lose the good we oft might win, by fearing to attempt.'

An eminent psychologist has likened intense fear to violent anger, except that the message which the cerebrospinal nervous system sends to the autonomic nervous system in the case of fear is, 'Prepare for fast running', instead of 'Prepare for a fight' which is the message of anger. The effect of fearing on the body as a whole is the same as the effect of being angry, because the action which the autonomic nervous system takes on receiving a message of fear is the same as it takes on receiving that of anger.

While on the subject of fear, it is pertinent to deal with the perennial and popular topic of worry. There are many people who are given or prone to worry, but who claim or appear to be brave. Such people should stop kidding themselves, and we should not be deceived by them either. Just as hate is chronic anger, so worry is fear in permanent form.

Jealousy is a more subtle manifestation of fear. You fear that someone has deprived you or may deprive you of something which you believe or fancy properly belongs to you. This 'something' may be a job, a loved one, or a privilege. You become jealous and envious because of the actual or fancied deprivation of one of these things. We have already noted the injurious effect which fear has on a man's health. And it is enough to reiterate here with emphasis that

jealousy or envy is a manifestation of fear which has been suppressed or repressed.

Selfishness, on the other hand, is an extremely refined manifestation of hate and fear combined. The selfish person holds very tight to what he has because he believes consciously or unconsciously that if he parts with all or part of what he has, the actual or fancied object of his hate or fear may benefit as a result. In this connection, we would like to stress the point that the effect of hate and fear, and hence of selfishness, on the body and on the nervous system is the same, whether we are conscious of these negative emotions or not.

The positive emotions, which are the diametrical opposites of the negative emotions we have been discussing, are equally well known. They too can be grouped into five as follows: calm, love, courage, charity, and altruism.

In order to dislodge the negative emotions, the positive emotions must be consciously and sedulously cultivated with unflagging persistence. There is no other way of going about it. It is plain commonsense that the surest and indeed the only way of driving out darkness is by bringing in light. There is no other way of doing it. It follows, therefore, that to cultivate the positive emotions, we must be prepared to meet every occasion of anger with calm, of hate with love, of fear with courage, of jealousy with charity, and of selfishness with altruism. It will not be an easy matter to start with. But since practice makes perfect, the more we persist in the cultivation of these positive emotions, the more we will succeed. And the more we succeed, the more we will diminish the injurious effects of negative emotions, and the greater shall be our chances of living a healthy and happy life.

Now, let us have another look at the 14 instincts at page 212. We will find that none of them, *per se*, is bad or ugly. Indeed, we are bound to admit, on careful examination, that *homo sapiens* needs all of them to survive as well as to procreate and perpetuate his species. But we know for a fact that these innate dispositions are being overexpressed or perverted or abused all over the place; so much so that there are many who dedicate themselves to condemning them out of hand, or who see virtue in repressing them—that is, denying them

any expression at all. These are extreme standpoints to take, and they are as dangerous as, if not more dangerous than, the evils and perversions condemned and repressed.

We have already dealt with the negative emotions of anger and fear together with their concomitant manifestations. We must, however, point out that the emotions of anger and fear are the offspring of the instincts of combat and escape respectively. In other words, it is the instincts of combat and escape which give rise to the emotions of anger and fear.

If you suddenly come face to face with a wild animal like a lion, for instance, both of your instincts of combat and escape will be automatically aroused. If you are well armed as well as being a good shot, you will in all probability allow your instinct of combat full expression, and bring that of escape under control, by attacking and killing the lion, keeping calm and cool while the operation lasts. If you have nothing on you with which you can subdue the wild animal, your instinct of combat will be controlled while that of escape is given full expression; again keeping calm and cool in the process. But if in spite of your lethal weapon and skill in marksmanship, you panic in the face of the lion and take to your heels, then you will have allowed the emotion of fear to get the better of you with the consequences which we have previously described.

If you are gratuitously insulted by your employer, your instincts of repulsion with a disposition to retaliation, and that of submission will be aroused. If you are fairly well-off and can afford to lose your job, you will probably allow the instinct of repulsion to prevail. Otherwise, you will control it and give expression to the instinct of submission, and thereby save yourself from unemployment, and your family from penury and starvation.

Several other illustrations can be given to demonstrate that it is well within the capacity of a man or woman to control or sublimate his or her instincts.

There are two steps to the control and sublimation of an instinct. The first is to recognize it as a natural and inseparable part of your being. There is nothing to be ashamed of about an instinct. And to condemn or repress it is tantamount to denying the existence of what is inborn and ordained to give you powerful motivation as long

as you live. The second is to cultivate the habit of reflecting on and rationalizing the circumstance which gives rise to the display of any of your instinctive urges. It does mean that, occasionally, such as on a sudden encounter with a lion, we have to think fast and on the spur of the moment. There are other instances when we have plenty of time for reflection, rationalization, and positive redirection of an instinctive urge. For instance, it is confidently claimed by psychologists that the instincts of sex and self-assertion can be sublimated by means of creative, charitable, and philanthropic activities. It is equally claimed by them that the repression of, or unconscious denial of expression to, any instinct will certainly lead to ill-health and unhappiness.

A man's environment is composed of geographical and social factors. The former consist of the seasons with their attendant climate and weathers, and of physical surroundings such as soil, vegetation, animals, insects, etc. The social factors consist of the society in which we live, its structure and the individual members who constitute it, together with the peculiar customs, *mores* and ethos, as well as the economic, political and other social systems which are in vogue.

It behoves man to understand all these, and, where possible, bend them to his needs.

The seasons he cannot change. But he can adapt himself to them as well as eliminate or minimize the adverse effects on him of their attendant climate, and weathers by means of suitably and scientifically regulated food, clothing and housing. As for the physical surroundings, he can make them do his bidding. If they are inadequate for his purposes, he must supply their deficiencies; if they are hostile, he must subdue them. Man is not born to grope in the face of adverse environmental circumstances and conditions: he is ordained, and endowed with the capacity, to comprehend the universe, conquer his immediate surroundings, and rule the world. But first, he must understand the world and all its phenomena: he must do so systematically and scientifically.

'Man,' says Aristotle, 'is a political animal.' So indeed he is in the sense that he is a gregarious and social animal. He must learn to live

amicably and harmoniously with his family, and with the other members of the society in which he is born, domiciled, resident, or carries on business. If the society or any of its institutions is primitive, backward, under-developed, oppressive, or evil in any sense, he has a duty to himself and to the society at large to improve it. Because of his endowments which we have just noted, and more of which we will note later on, he cannot be heard to plead ignorance, incapacity, or impotence of any kind whatsoever. Therefore, he cannot afford to take any physical or social phenomenon for granted.

He must diligently probe the world. But, as we have said, he must first of all understand his physical and social surroundings, and in order to understand he must be properly educated. For it is only when he knows the law that governs the universe of which the world in which he lives is a part, the rigours of Nature, and the aberrations of society, and can, with the necessary physical, mental, and spiritual equipment, devise ways and means to temper and humanize them to satisfy his sublimated yearings, that man can hope to live a full and happy life.

By exercise we mean physical, mental, and spiritual exercise. These three forms of exercise are indispensable to 'a sound mind in a sound body'. The first does not need either introduction or explanation, except to say that without physical exercise, especially by those who do sedentary and mainly mental work, the body of man will not enjoy the physical soundness which is essential to good health. The only way to exercise the brain is to study, and to do so persistently and reasonably rigorously. Thinking is a spiritual process; and the only way to exercise the mind is constantly to engage in clear, decisive, calm, deliberate, sustained, and constructive thinking with a definite end in view, which end should benefit the thinker as well as others.

In all these exercises, one must obtain as much expert guidance as possible, lest the bounds of moderation and reasonableness are exceeded, with harmful effects. In this connection the following words of Haanel are worthy of attention: 'Remember that your physical body is maintained through a process of continuous destruction and reconstruction. Life is simply an exchange of the old

for the new, and health is only the equilibrium which Nature maintains during the process of creating new tissue and eliminating the old or waste tissue.

'Birth and death are constantly taking place in our body, new cells are constantly being formed by the process of converting food, water and air into living tissue. Every action of the brain, every movement of a muscle means a destruction and consequent death of some of these cells, and the accumulation of these dead, unused, and waste cells is what causes pain, suffering and disease. . . .'²

It is thinking that distinguishes man from the other animals and makes him the image of God. But it must be systematic and scientific thinking with a definite object in view. It involves observation, collection of data and materials, analysis, synthesis, and reasoned deductions. It demands attention, contemplation, idealization, visualization, and reflection. It needs rigorous training, self-discipline, and self-knowledge. It has tremendous rewards: self-conquest, self-improvement, self-realization, and victory over environment and heredity are some of them.

For the sake of clarity and understanding, this kind of thinking must be distinguished from other kinds so called.

Mere perception is not thinking; the lower animals do this too. But if perception is purposive, then it ranks as thinking. Because in that case, it becomes only the first stage to aperceptual, conceptual, and ideational thinking, each of which is necessarily purposive. Desultory use of the mind, wild imaginings and day-dreamings are not thinking. Even children are more adept in all these than adults. At best these are sheer conceptual or ideational dissipations.

From this description, it is clear that only a very few people do real thinking: the majority do very little of it, if at all. The reasons for this are two-fold. First, man as a thinker is still in his infancy. Though the age of *homo sapiens* is put at 40,000 years, yet as a thinker he is, according to Joad³, only approximately 2,500 years old. Joad dated man's inception as a thinker from Confucius, Buddha, Lao Tse, Socrates, Plato, and Aristotle, all of whom lived between 600 and 400 years B.C. With respect, we beg to differ. We are of the opinion that the dawn of human thinking began with Hammurabi

and Moses, that is between the eighteenth and fourteenth centuries B.C. These two were the first among mankind to assemble traditional customs and usages and systematize them respectively into a Code of Law. But even when all this is conceded, man's infancy and immaturity as a thinker remains.

The immediate ancestor of *homo sapiens* is said to have emerged during the later glaciations of the Ice Age, nearly 1,000,000 years ago. According to Joad, there has been life of some sort upon our planet for between 600,000,000 and 1,200,000,000 years. It is possible that the original and remote ancestor of man was in existence some 70,000,000 years ago. On these counts, therefore, the infancy of man as a thinker is established beyond any dispute.

Secondly, the majority of the people do not have the disciplined education which is indispensable to systematic and scientific thinking. Consequently, their perceptual faculty is dull, vague, and desultory, and their aperceptual, conceptual, and ideational capacities are either undeveloped or never developed to any significant level. Their talents lie buried. In popular parlance, they can see, but do not understand.

Sociologists have sought to show that what distinguishes man from the other animals is his ability to speak and communicate his ideas and experiences, whether concrete or abstract, to others. But the very invention of language, or what the sociologists term arbitrary symbol, is the product of thinking. It is the greatest invention that man has ever made.

Now when a man is able to think, and is able to do so systematically, scientifically, clearly, constructively, and persistently, with a definite object in view, he is able to act on the immutable law or universal mind and make it materialize, in concrete form, the object of his thought.

The universal mind, as we have said before, is latent everywhere, and permeates and pervades all things: it is both immanent and transcendent. It is omnipotent, omniscient, and omnipresent.

A man has two layers of mind: the conscious and the subconscious. The physical instrument of the conscious mind is the cerebro-spinal system of nerves; and that of the subconscious is the autonomic system of nerves. When a man thinks in the way which we

have described, he is able to impress on the subconscious mind his ideas, ideals, or objects. Once this is done the subconscious mind which is omnipotent, omniscient, and omnipresent proceeds to materialize the idealized objectives.

It follows from the foregoing, therefore, that the subconscious mind and the universal mind are one and the same thing. Indeed they are: both in kind and quality. The only difference between the subconscious mind and the universal mind is one of degree.

The supreme importance of the nexus between the body and the conscious mind on the one hand, and the subconscious mind on the other, must be emphasized. If the body is dead, there can be no life and there can be no mind—whether conscious or subconscious. But what sustain life itself and generate energy in the body thereby enabling man to think consciously are air, water, food, clothing, and shelter, when used in the right quantity, proportion, and quality. The conscious mind is the medium by which man makes his observations, collects his data, does his analysis and synthesis, and makes his reasoned deductions. The subconscious mind, on the other hand, does none of these things. It only accepts such findings and conclusions of the conscious mind as are clear, systematic, scientific, and persistent, and proceeds to implement them in its own infinite ways and wisdom.

We see then that the body of man is indeed the temple of God or the universal mind; and we can now find no difficulty in agreeing with the Psalmist when he says that man has been made 'a little lower than God'. This, in our view is the truth—the only truth.

When we know this truth and, by an act of faith or by a process of rigorous and systematic reasoning, are unshakably convinced of it, we automatically enter into the regime of mental magnitude, properly and eminently equipped with a considerable measure of intellectual comprehension and cognition, insight, and spiritual illumination. In this regime, we are free from: (1) the negative emotions of anger, hate, fear, envy or jealousy, selfishness or greed; (2) indulgence in the wrong types of food and drink, and in ostentatious consumption; and (3) excessive or immoral craving for sex. In short, in this regime we conquer what Kant calls 'the tyranny of the flesh', and become free.

To those who will rejoin that these ideals are too lofty for human achievement, we quote the eternal words of Jesus Christ, who never enjoins man to impossibilities. Says he: 'You shall know the truth, and the truth will set you free.' In other words, some day in the distant future, we will—all of us—know the truth, and, royally, enter into the regime of mental magnitude, where love reigns supreme.

¹ McDougall: *Outline of Psychology*.

² Haanel: *The Master Key*, page 34.

³ Joad: *Guide to Philosophy*.

PART THREE

Blueprint for Self-rule

Suitable Constitution

ACCORDING TO the 1952 Census Report, there are altogether FIFTY-ONE nations in Nigeria, each of which consists of various tribes. The Census Report itself classified these national groups as TRIBAL GROUPS. But the error in this classification becomes manifest from the description of TRIBAL GROUPS in the Report. Quoting from the Nigerian Annual Reports, the Census Report says: 'For descriptive purposes, however, it has been customary to list certain major (tribal) groups in most of which the distinguishing characteristic is language; some of these are localized, and in a few there is physical homogeneity and belief in a single derivation.'

We already know that the chief distinguishing characteristic of a nation is language, whilst that of a tribe is dialect, *not* language.

Of the 51 Nigerian nations, 10 are regarded as major, presumably because they are more distinctive and assertive than the rest, and certainly because they are each much more populous than each of the others. The 10 major nations together with their respective populations areas follows:

(1) Hausa/Fulani	13·6m.
(2) Yoruba	13·0m.
(3) Ibo	7·8m.
(4) Efik/Ibibio/Annang	3·2m.
(5) Kanuri	2·9m.
(6) Tiv	1·5m.
(7) Ijaw	0·9m.
(8) Edo	0·9m.
(9) Urhobo	0·6m.
(10) Nupe	0·6m.

Of the total population of Nigeria, which is said to be 56 millions

approximately, these ten national groups account for about 45 millions. By a simple process of subtraction, the remaining FORTY-ONE national groups are about 11 millions strong. Of these, NINE are in Eastern Nigeria, while THIRTY-TWO are in Northern Nigeria, as follows (estimated populations):

	<i>Province</i>	<i>National Group</i>	<i>Population</i>
EASTERN NIGERIA	Ogoja	Boki	41,224
		Ekri-Yakurr	138,541
		Nbembe	52,472
		Obanliks	23,031
		Ukelle	30,298
	Rivers	Yala	36,152
		Abuah	24,024
		Ngenni	8,009
		Ogoni	220,126
NORTHERN NIGERIA	Benue	Bassa	37,001
		Egedde	98,515
		Gwari	38,838
		Idoma	293,010
		Kutev	35,183
	Bornu	Babur	39,558
		Beddawa	37,506
		Bura	129,349
		Shuwa Arab	143,428
	Ilorin	Borgawa	31,683
		Bussawa	11,550
	Kabba	Bassa-Komo	40,152
		Gwari	6,496
		Igala	423,924
		Igbirra	212,587
		Kamberi	26,564
	Kano	Owe	815
		Magazawa	71,845
	Niger	Dak-Akerri	99,747
		Dukawa	36,262
		Gwari	187,249
		Kamberi	74,796
	Plateau	Kamuka	26,751
		Angas	121,627
		Birom	167,345
		Eggon	74,788
		Sura	73,909
	Sokoto	Yergum	98,533
		Adarawa	297,661
		Arawa	81,984
		Zabirma	85,740

	<i>Province</i>	<i>National Group</i>	<i>Population</i>
NORTHERN NIGERIA	Zaria	Gwari	51,908
		Jaba	59,158
		Kadara	44,189
		Kaje	51,533
		Kataba	41,191

All the 51 Nigerian nations differ as widely and deeply in their cultures as do any group of nations in any part of the world. For instance, their political institutions, customary usages, basic religious beliefs, and even food habits are so divergent that neither British rule nor Christian and Islamic civilizations have brought about any permanent assimilation. The so-called common "Nigerian nationality"—which is a complete misnomer, as there is no such thing as a Nigerian nation anyway—is a veneer or façade consciously or unconsciously put up by some Nigerians to cover up what many of their fellow-men see quite plainly as rabid nationalism.

There has, it must be admitted, been some measure of cultural diffusion among many of the national groups. The Yoruba style of dress—which is itself a synthesis of Yoruba and Hausa/Fulani styles—is now prevalent in most parts of the country. The Onitsha Ibos and their Edo neighbours have a lot in common in the matter of chieftaincy paraphernalia. But all these, together with some British cultures which we pretend to have adopted, are superficial; and do not in any case affect the hardest core of all cultural divergencies—language.

We are aware that the *lingua franca* among the national groups in the Northern Region is Hausa. But after 146 years of a studied policy of acculturation, each national group retains its language. Ironically enough, it is the conquering Fulani in Sokoto, Kano, Katsina, and Northern Zaria whose language has succumbed in the process. In the North today, those who claim Fulani descent *but do not* speak the language, far outnumber those who claim the same descent *and* speak the language. In any case it must be emphasized, in this connection, that the Fulani who speak Hausa as their mother-tongue have been totally assimilated with the Hausa national group in Sokoto, Katsina, Kano, and Zaria Provinces, while those of them who still speak Fulani as their mother-tongue are very thinly spread over many parts of Bauchi and Adamawa Provinces, and are in other

respects fully assimilated with their neighbours. The so-called 'Cattle Fulani' are nomadic, and do not enter into reckoning in our present exercise. For all practical purposes, they are nothing more and nothing less than temporary immigrants in any constituent State in which they may be found, at any given time.

The Efiks, Ibibios, and the Annangs are members of one and the same nation. They each speak a different dialect of the same Efik or Ibibio or Annang language. Because of sentiments which have been stimulated over the years by the British and some Nigerian politicians, no Efik, or Ibibio, or Annang likes to bear any generic name other than his own. In order to avoid causing unnecessary offence, therefore, we have given to this linguistic group the long appellation of 'Efik/Ibibio/Annang'.

The tribal units which constitute each of the 51 national groups are territorially concentrated and contiguous. There are no geographical barriers of any importance as between one tribe and another in each national group. And barring some minor local variations, the cultures of all the tribes in a national group are basically the same. Since the advent of British rule, such inter-tribal strife and prejudice as existed has been considerably reduced to the extent that the tribes in any national group can be expected to act in concert on any important issue that touches any of them. As a matter of fact, for some years past, the Yoruba, Ibo, Ibibio/Annang, Edo, and Urhobo have each launched a non-political, non-partisan national movement which caters for the interests of the individual members and tribal units within the national group, and pursues the goal of national unification. In short, as far as we can ascertain, no tribal unit within any of the nations has developed such a divergent or autonomous outlook as to make it insist on remaining independent of the others within the nation. On the contrary, the obvious phenomenon among all the units within each nation is the tendency to cohere as one unified entity.

The sum and substance of all that we have said thus far is that Nigeria is a multi-national or multi-lingual country. For this reason it comes within the ambit of the third of the four principles which we enunciated, at page 91 *ante*, as follows: 'If a country is bi-lingual or multi-lingual, the constitution must be federal, and the constitu-

ent States must be organized on a linguistic basis.' It follows, therefore, that the Constitution of Nigeria must be federal, and the constituent States in the country must be organized on a linguistic basis.

A strict application of this principle (hereafter called the multi-lingual principle) to Nigeria now will produce at least 51 constituent States, or as many as 60, in addition to the composite State of Nigeria itself. Until the census analysts have completed their job, we shall not know exactly how many nations there are in Nigeria. But since the 1952 census count recorded only 51, and though the count did not show any minor linguistic groups for Bauchi and Adamawa Provinces, it is none the less safe to assume that the final figure is not likely to go up by more than nine, which is close on 20% of the 1952 total. We are strengthened in this assumption because we are authoritatively informed that some of the minor national units in the North, like the Shuwa Arabs and the Bussawa for instance, have become completely assimilated with their respective neighbours.

For the time being, therefore, we will confine ourselves to the 51 nations which are already identified; especially as any subsequent increase would not be likely to affect substantially the proposals which we intend to make for applying the multi-lingual principle to Nigeria.

For the reason which we will state presently, it is our considered view that Nigeria's composite State would be threatened with certain collapse if it were to have 51 constituent States *now*.

From our personal knowledge of them, the 41 minor national groups cannot each, for the present, sustain a viable State. We hasten to declare that viability, in this regard, is essentially a question of administrative relativity and not, as popular notion has it, primarily a financial or population problem. There are large and small States, whether composite, single or constituent, just as there are rich and poor ones. The world has its U.S.A. (population 186m.), U.S.S.R. (237m.), and People's China (657m.), just as it has its Gabon (440,000), Gambia (315,000), Luxemburg (314,000), Iceland (190,000), Tonga (67,000), Andorra (11,000), Romansch Canton (50,000), and Kurdish Autonomous Region (60,000).

Granting administrative competence then, any constituent or

independent State will manage to eke out some sort of existence. An Ikenne constituent (even independent) State can be viable. Ikenne has a population of 9,000, and it can always produce one competent person at any given time who will be both Premier or Executive Governor as well as Minister For All Purposes. It can also produce at all times, from among its own citizens, the small number of administrative personnel required for the efficient running of its affairs. The Head of Government does not need a car to tour his domain; consequently none will be bought. He, together with the members of his Parliament, does not have to devote much more time to the affairs of his domain than the Chairman and members of Ikenne Town Council are expected to do; consequently only a slight increase in the sitting allowances paid to the Chairman and other members of Ikenne Local Council is required to remunerate them for their efforts. The State Assembly will combine the functions normally performed by Local Government Councils with its constitutional functions, thus eliminating the duplication of the deliberative and legislative organ. Since it will get its own full share of the country's revenue, since it will not be expected to *pay precepts* to another body as the Ikenne Local Council now does, and since the people will continue to pay such taxes and rates as may from time to time be levied, the Ikenne State will have enough financial resources for launching and executing such programmes as its citizens demand and deserve.

With great respect, it must be emphasized quite candidly that the 41 minor national groups already mentioned are not, for the present, in the happy position of being able to produce, from among their respective citizens, self-sustaining pools of political leadership and competent administrative personnel. Just as the viability of an Ikenne State would be seriously endangered if it were to employ expatriates, so would that of any of the minor linguistic groups be gravely jeopardized if they had to look outside their borders for efficient administrative staff.

On the other hand, however, we are perfectly satisfied that by judicious grouping, a number of minor national groups can supply the administrative personnel required from among their nationals, or failing that, they can, by reason of their combination, financially

afford to employ outsiders for administrative purposes, until enough persons from among their nationals are trained to take the place of such outsiders.

In contrast, it is our considered view that each of the ten major national groups is viable. Each of them can either provide internally the administrative personnel it requires, or attract proficient outsiders to its service until such time as its own nationals are sufficiently qualified.

If we accept the foregoing arguments, ten constituent States, embracing the ten major national groups, with a population of 45 millions, emerge as follows:

- (1) Kano, Sokoto, and Katsina Provinces, plus the Northern part of Zaria Province including Kaduna Capital Territory, and Bedde Division. Population—13·6 millions. (Hausa/Fulani National Group.)
- (2) Ibadan, Ondo, Oyo, Abeokuta, Ijebu, and Colony Provinces, together with Ilorin, Kabba, and Warri Divisions, plus Akoko Edo District Council Area. Population—13 millions. (Yoruba National Group.)
(NOTE: This will be slightly affected by the proposals which we are making later on in respect of Lagos.)
- (3) Old Onitsha and Owerri Provinces, together with Abakaliki and Afikpo Divisions of the Old Ogoja Province, plus the Old Aboh and Asaba Divisions, and the Aro Ibo County Council Area. Population—7·8 millions. (Ibo National Group.)
- (4) Old Calabar Province minus Aro Ibo County Council Area. Population—3·2 millions. (Efik/Ibibio/Annang National Group.)
- (5) Bornu, and Dikwa Divisions. Population—2·2 millions. (Kanuri National Group.)
- (6) Tiv and Wukari Divisions. Population—1·5 millions. (Tiv National Group.)
- (7) Old Brass, Degema, and Western Ijaw Divisions. Population—0·9 million. (Ijaw National Group.)
- (8) Old Benin and Ishan Divisions, plus Afenmai Division

excluding Akoko Edo District Council Area. Population—0.9 million. (Edo National Group.)

(9) Old Urhobo Division. Population—0.6 million. (Urhobo National Group.)

(10) Bida, Kwara, and Lafiagi-Pategi Divisions. Population—0.6 million. (Nupe National Group.)

After all this has been done, we are left with about 11 million Nigerians, spread over 41 linguistic groups, who have to be organized into constituent States. In tackling this problem the following important factors must be borne in mind.

ONE: In doing the grouping exercise, we must not make the mistake of bringing any of the minor linguistic groups into the same constituent State as any of the major ones. *Vis-à-vis* the majority national groups, the minority nations have fears—real or imaginary—which can only be allayed by making it possible for the latter to live apart from the former in separate States. In this connection, we must remember that countries like the U.S.S.R., Yugoslavia, and Britain, which recognize minorities, and make suitable constitutional arrangements to allay their fears, are reasonably free from the political troubles which usually emanate from this source. But countries like Iraq and Ceylon which have tried to ignore the existence of minority linguistic groups have been incessantly plagued with violence involving considerable loss of lives and property.

TWO: Though it sounds superfluous, yet the point must be made that all the national groups being brought together must be territorially contiguous. Contiguity is used here in contrast to the Pakistani model wherein two parts of the same State are separated from each other by a vast expanse of alien territory. This must not be permitted in this exercise.

THREE: Every linguistic group should be made to remain as an undivided unit in any one constituent State. In other words, no linguistic group should be divided into two or more constituent States.

FOUR: The linguistic groups being brought together must be large enough in population to be administratively viable; but must not be too large territorially to necessitate extensive travelling on the part of the functionaries of the resultant State.

With these considerations in mind, we propose the following seven groupings:

- (11) Old Adamawa, Biu, Muri, and Numan Divisions. Population—2·7 millions.
- (12) Bauchi Province and Potiskum Division. Population—2·7 millions.
- (13) Plateau Province, Southern (i.e. non-Hausa speaking) portion of Zaria Province, Akwanga, Lafia, Keffi, and Nasarawa Divisions. Population—2·6 millions.
- (14) Idoma, Igala, and Igbirra Divisions. Population—1·5 millions.
- (15) Abuja, Borgu, Kontagora, and Minna Divisions. Population—1 million.
- (16) Old Ahoada and Ogoni Divisions, together with the municipality of Port-Harcourt. Population—0·8 million.
- (17) Old Ikom, Obubra, and Ogoja Divisions. Population—0·6 million.

At this stage, we would like to make two comments. In the first place, as long as the four factors mentioned above are observed, there is nothing rigid or sacrosanct about the grouping of the minority nations in Northern Nigeria into five constituent States. Any other intelligent combination will do just as well. In the second place, unless we desire to follow the Pakistani model, which we have rejected; or ignore the first of the four factors mentioned above, which would be most unwise; the only course open to us is to group the nine minority nations in Old Ahoada and Ogoni Divisions on the one hand, and Old Ikom, Obubra, and Ogoja Divisions on the other, into two separate constituent States.

It is very noticeable from the figures supplied on pages 236 and 237 that the estimated populations of the minority linguistic groups vary widely. It is, therefore, not impossible (though the feasibility is very remote) for two or more minority national groups to combine to lord it over the others in the constituent State to which they belong, unless there are provisions in the Constitution designed against such an eventuality. To this end, the following constitutional safeguards are proposed:

ONE: There should be provision in the Constitution to the effect

that every linguistic group, however small, should have a minimum number of seats, say two, in the State Legislature, in addition to its normal entitlement of representation based on population. By way of illustration, suppose a State with 10 linguistic units has a Legislature of 60 members. Twenty of these would go to the 10 linguistic units at the rate of two each. The remaining 40 would then be distributed among the 10 national groups on the basis of population, but so that every national group would have a share.

TWO: The Constitution should provide that each national group in a constituent State should be constituted into a separate Local Government, and that such a Local Government should be completely autonomous in respect of certain Local Government functions which should be clearly and fully set out in one of the Schedules to the Constitution of the State.

THREE: The Constitution should also provide that any linguistic unit could have its own separate State whenever the Parliament of the composite State signifies by a resolution, supported by the votes of two-thirds of all its members, that such a linguistic unit satisfies our afore-stated test of viability. With this proviso, however, that no linguistic unit will be allowed to have a separate constituent State unless Parliament is at the same time satisfied that the remainder of the State will also be viable.

Before we pass on to the next topic, we would like to make six points, partly in answer to well-known objections, and partly to dispose of some important issues.

FIRST: It has been objected that the constituent States embracing the Hausa/Fulani, Yoruba, and Ibo are too large, that those embracing the Ijaw, Urhobo, and Nupe are too small, and that they all offend against certain fundamental principles of federalism. The principles which the objectors have in mind were formulated by Wheare. We state them as follows:

- (1) No one or two States shall be so large in size, population, and wealth as to be able to overrule the other States, and bend the will of the Central authority to its own; and
- (2) No State shall be so small as to be unable to maintain its independence within the sphere of functions allotted to it.

We have already disposed of the objection based on the second principle. We maintain that any constituent State however small can maintain its independence, provided it is able to provide the requisite efficient administrative personnel from among its own nationals. In this connection, we would like to state that we do not at all rule out the possibility of one or more of the small constituent States finding themselves unable or unwilling to perform some of the functions vested in them by the Constitution. In that event, the constituent State concerned could either confer power on the Central Authority to perform the relevant functions on its behalf, or enter into arrangement with a neighbouring constituent State for the joint and more economical performance of such functions. All these are permissible, and a good Federal Constitution should make provisions for them.

The first principle is very sound; but it errs on two vital grounds. First, it runs the risk of colliding, with disastrous consequences, with the multi-lingual principle. If a national or linguistic group, however large, whose tribal units had not developed and crystallized cultural and social divergencies, were split into a number of constituent States, the tendency to cohere would become operative among such States and social disequilibrium would be generated in the process. Secondly, it overlooks the fact, for instance, that of the 11 million inhabitants of Australia, 7 millions live in the constituent States of New South Wales and Victoria.

Apart from these, it is our view that each of the constituent States embracing the Hausa/Fulani, Yoruba, and Ibo does not in any way offend against Wheare's principle. A combination of any two of them does not constitute a majority in the country; and it is inconceivable that the three of them will ever have common cause against the rest. In any case, Wheare speaks of 'one or two', *not* of 'one or more'. In the unlikely event of two or more of the majority national groups teaming up against the rest, the resulting combination will be rendered impotent and ineffective by the proposals we make in the next chapter.

SECOND: It has also been objected that a federal set-up is difficult and expensive to operate. There is dual citizenship, so the argument goes; there is double loyalty; and there are as many Authorities—each with

its own functionaries—as there are constituent and composite States. Our answer to this is straightforward, and is explicit from our analysis and exposition in Chapter 5. It is to the effect that in the circumstances of Nigeria, there is only one safe and sensible choice open to us: a Federal Constitution. Any other constitution will be unsuitable and will generate ever-recurring instability which may eventually lead to the complete disappearance of the Nigerian composite State as we know it today.

THIRD: There has been a good deal of controversy as to whether or not a plebiscite should be held to ascertain the wishes of those who are going to be included in new constituent States. There are those—many of them close to the throne of military power—who hold the view that constituent States should be created by Decree and that the wishes of the persons concerned need not be ascertained in a plebiscite. There are those who hold a contrary view.

It must be admitted, quite frankly, that this controversy stems from the fact that, hitherto, there has been a good deal of woolly thinking on this subject on all sides. But if the principles which we have enunciated are valid—and we are satisfied they are—then the question of a plebiscite should be considered with strict regard to the circumstances of each specific case. Four such cases, and no more—can be formulated and provided for in advance. They are:

(1) Where a linguistic unit constitutes, or forms part of, an existing constituent State, and it is proposed to divide it into two or more constituent States, then a plebiscite should be conducted in the whole of the linguistic unit to determine the wishes of the people in the said linguistic group, as to whether or not they desire to be split into two or more constituent States as proposed. If the plebiscite were confined to the tribal unit or units within the linguistic group, where the demand for a separate constituent State had been made, a dangerous precedent would have been set which would be bound to lead, in the course of time, to a complete fragmentation of the composite State. This would inevitably and irresistibly be the case, because following such a precedent, any tribal or clan unit could make a demand for a separate constituent State and get it. Since the plebiscite would be confined to the members of the tribe or clan alone, it would not be difficult for any

powerful but misguided leader of the said tribe or clan, to muster the required majority to enable his tribe or clan, however small, to be formed into a separate constituent State. There is, however, no doubt in our mind that, in the process of time, the forces of fragmentation thus let loose in the linguistic unit would be arrested and reversed. But, in the meantime, a lot of harm would have been done, and untold damage would have been caused to the economy and political stability of both the composite and constituent States, by the backward and forward motions of creating and abolishing small and innumerable constituent States.

(2) Where a minority linguistic unit forms part of an existing constituent State, and it is proposed to constitute it into a separate constituent State, a plebiscite is unnecessary. As we have abundantly shown, no minority linguistic group can be truly happy as long as it is made to live in association with a majority national group in the same constituent State. There may be some individuals or groups in the minority national group who are so 'de-nationalized' as to oppose any move to organize the national unit to which they belong into a separate constituent State. It is our settled view that such individuals or groups will always be in the minority, and that they will, in time, co-operate wholeheartedly with their fellow-nationals in developing and strengthening their own constituent State after it has been created.

(3) Where a national group forms part of an existing constituent State which has been created as a result of a plebiscite validly held under the Constitution, then a plebiscite is necessary to determine the wishes of such a national group, before constituting it into a constituent State.

There are two strong reasons for this course of action. Firstly, let us take the instance where the majority of the national group had previously voted in favour of forming part of the existing constituent State. Unless a plebiscite is conducted, it will not be known for certain whether or not the majority of the people still desire to continue in association with the other linguistic groups in the existing constituent State. If the majority of the people still desire to remain within the existing constituent State, to constitute them into a separate constituent State without a plebiscite would

amount to flouting their wishes, and denying the national group concerned the right of self-determination. Secondly, even if the majority of the people in the linguistic group in question had voted against being included in the existing constituent State in the first instance, it is not unlikely that practical experience would convince them of the wisdom of remaining in the existing constituent State at least for some time further. To constitute them, therefore, into a constituent State without a plebiscite would be contrary to the wishes of the majority of the people.

(4) Where it is proposed to bring two or more minority linguistic groups together in a new constituent State, or to redraw or confirm the boundary between two existing constituent States so as thereby to transfer the citizens of one constituent State to the other or divide the nationals of one national group between the said two constituent States—then, in such circumstances, a plebiscite should be held to determine the wishes of:

- (i) the minority linguistic units which are to be brought together in the proposed constituent State;
- (ii) the citizens who are affected by the proposed transfer from one constituent State to another, and
- (iii) that section of one national unit that is being transferred to or confirmed in another constituent State different from that to which the main stock of the said national group belongs.

The present Constitution of Nigeria provides that not less than 60% of those who vote in a plebiscite should support the creation of a new constituent State or the readjustment of inter-State boundaries. We are of the opinion that this provision is very good and should remain, and be applied in future plebiscites for the creation of new constituent States, and the adjustment of State boundaries. FOURTH: In some weighty quarters, principles for the creation of new constituent States in Nigeria have been enunciated as follows:

- (i) No one State should be in a position to dominate or control the Central Government.
- (ii) Each State should form one compact geographical area.
- (iii) Administrative convenience, the facts of history, and the wishes of the people concerned must be taken into account.

- (iv) Each State should be in a position to discharge effectively the functions allocated to Regional Governments.

It will be seen that all the above so-called principles have been fully covered by us. Our only objection—and it is an important one—is that it is wrong, extremely misleading, and dangerous to regard them as principles—that is, as the fundamental bases or laws—for the creation of new constituent States in Nigeria. They do not do, and must not pretend to do, any more than supply the guidelines for anyone who may be charged with the responsibility of applying the multi-lingual principle which we have declared.

To illustrate the danger inherent in regarding the afore-stated principles as the fundamental bases for the creation of new constituent States, let us imagine that a number of persons, working separately and unknown to one another, are asked to apply the said principles to Nigeria. We make bold to assert that they will all produce results which will be widely divergent from one another. It would be quite accidental if any two of such results corresponded. Whereas if the same persons are asked to apply the multilingual principle, subject to the working guidance which we have laid down with regard to the minor national groups, they will produce results which will be absolutely identical in respect of the ten major national units, and of the nine minority linguistic groups in the East. With respect to the 30 minor linguistic groups in the North, the results will largely correspond.

Any proposition by the aid of which we cannot reach exact results does not qualify for the scientific halo of principle. Without such political considerations as we have borne in mind in dealing with the minor linguistic groups, the multi-lingual principle, in its application to Nigeria, will produce exact results. It will equally produce exact results, if applied to any other country with more or less the same national diversity as Nigeria. In contrast, however, the so-called principles which form the subject-matter of these remarks, cannot produce exact results.

FIFTH: Lagos, as a Federal Territory so-called, has since 1954 always been, and will for ever remain, a constant bone of contention in Nigerian politics. The reasons for this are not at all far to seek. Of

the approximately 660,000 inhabitants of Lagos, more than 75% are Yoruba. Of this 75% about 80% are non-Lagosian Yoruba—that is Yoruba people who are not members of the Eko (or Lagos) tribe. Geographically, the territory of Lagos and the rest of Yorubaland are contiguous.

From this brief analysis, it is clear that, theoretically, the tendency to cohere must be present between the people of Lagos and those of Western Nigeria. Empirically, this has been exactly the case over the years. The tendency to cohere has grown stronger and stronger with the passage of time; and every effort to stifle it has been persistently and relentlessly resisted all along the line.

On the other hand, three important factors deserve to be borne in mind. The first is that Lagos is the capital of the Federation of Nigeria, and has been so since 1914. The second is that all non-Lagosian Nigerians, and particularly all non-Yoruba Nigerians, have at all material times been led to believe that Lagos is their second home. The third is that non-Yoruba Nigerians in and outside Lagos desire strongly, though misguidedly, that Lagos should continue to remain a Federal Territory, because they entertain fears, which are unfounded, that its merger with Western Nigeria would endanger their interests. And about 25% of the population of Lagos is composed of such non-Yoruba Nigerians.

Now, if these factors were ignored, and the multi-lingual principle were strictly applied, Lagos and the rest of Yorubaland should form one constituent State, since the indigenes of Lagos are a Yoruba tribe. But if this were done, the feelings of non-Yoruba Nigerians would be exacerbated, and their fears whether genuine or not would be magnified out of proportion. As a result, the peace and tranquillity of the compact and extremely sensitive and alert Lagos community would be seriously disturbed. At the same time, however, it would be criminal folly of the worst type to continue to ignore the powerful social forces which are at work among the Yoruba inhabitants of Lagos (indigenous and non-indigenous alike), and their orientation towards their kith and kin in Western Nigeria.

Furthermore, because of the position of Lagos as a Federal Territory, indigenous Lagosians suffer grave constitutional disabilities which practically reduce them to the status of 'second-class'

citizens. For example, while every Nigerian who lives in Lagos, unless he is an indigenous Lagosian, has an opportunity of seeking election to two legislative assemblies, and of serving on two Governments—those of the composite State, and of the constituent State from which he originates—an indigenous Lagosian can only seek election to the Parliament and serve on the Government of the composite State. Besides, experience has shown that even this single chance, as well as the opportunity to serve on the Lagos City Council, is recognized and protected only by the right-thinking members of the Yoruba national group to which he belongs.

In view of all that we have said, and specifically in order to protect the inalienable rights of the indigenous Lagosians in particular, to assuage the feelings of Yoruba people in general, and to allay the fears of non-Yoruba Nigerians, we strongly urge that the claim by the Yoruba for a merger of Lagos with Western Nigeria, and that by non-Yoruba Nigerians for Lagos to continue as a Federal Territory, should both be abandoned. And we propose that Lagos should be converted into a separate constituent State, instead.

A Lagos constituent State which is only conterminous with the present jurisdiction of the Lagos City Council will be as viable as any State in the world. But the future development and expansion of Lagos as a major Nigerian port, not to mention its importance as the Federal Capital, demand that, if possible, portions of the adjoining territory of Western Nigeria, such as Ajeromi District Council Area, and parts of Ikeja Division, should be merged with the L.C.C. area to form a Lagos constituent State.

As long as Lagos remains the capital of Nigeria, the Central Government must of a necessity have a special interest in the physical development of the Territory as well as in the kind of relationship which exists between it and the Authority in charge of the administration of Lagos. The problems which will thus arise should not be too difficult to solve. There are many successful precedents. Among them are Ottawa, Moscow, Bonn, and Belgrade.

It only remains for us to emphasize that in organizing Lagos together with Ajeromi District Council Area and parts of Ikeja Division into a new constituent State, a plebiscite should be con-

ducted in the areas which it is proposed should be included in the said State.

SIXTH: The demand for the merger of the Yorùbà tribes in Ilorin and Kabba Divisions with the rest of Yorubaland is a long-standing one. Since they are Yoruba, they automatically belong to Western Nigeria under the multi-lingual principle. But the dominant Hausa/Fulani of the Northern Region lay claim to these areas and the people therein, on the strength of their alleged military conquest some 146 years ago. The British, in pursuit of their selfish imperialist interests, recognized this spurious claim. But today, we do not think that any enlightened and intelligent member of the Hausa/Fulani national group will insist on this preposterous, insulting, and false claim. In the circumstance, it is unnecessary to demonstrate the historical falsity, or the political injudiciousness, of the claim.

In keeping, however, with our third principle on the subject, a plebiscite should be held in the two divisions of Ilorin and Kabba to determine whether or not the people do truly desire to remain where they are, or to be merged with Western Nigeria.

We now come to the important issue of division of functions as between the composite and the constituent State. We are of the opinion that this should be done so as to vest:

- (1) certain specified powers exclusively in the Central Authority;
- (2) certain specified powers concurrently in the Central and Regional Authorities; and
- (3) residual powers exclusively in the Regional Authorities.

There are a few protagonists of a Unitary Constitution for Nigeria who are prepared to tolerate or even support a Federal Constitution, if the above order is reversed and residuary functions are vested exclusively in the Central Authority. As we have seen, Canada is a good precedent for this procedure. But, in this connection, we are in honesty bound to point out that some political analysts have reported that the Canadian arrangement has led to a lot of friction between the Central and Provincial Authorities, and that there is a clear tendency that the latter are winning, and waxing stronger at the expense of the Central Authority.

Be that as it may. Our considered view is that Nigeria should keep in step, in this matter, with the U.S.A., Australia, Switzerland, and such-like countries. Besides, on merit, it is more desirable and wiser to vest residuary functions in the constituent States. We have three reasons in support of this proposition.

Firstly, whilst by the exercise of reasonable prudence and foresight one could draw up a comprehensive list of subjects for the composite State, which will hold good for half a century or more hence, one would need the divine gift of prophecy to do the same in respect of a constituent State list of subjects. For instance, omissions were discovered in the Regional list of the Macpherson Constitution three months after its introduction. It took much longer than that time to supply the omissions.

Secondly, since matters on the Exclusive Federal List are invariably of country-wide interest, any required addition to the list can be much more easily inserted by amendment to the constitution, than would be the case in regard to subjects in the constituent State list, which are usually of local interest. Here, it must be emphasized that 'local interest' means what it says. What is of vital interest to one constituent State may be unheard of in, or even anathema to, the other constituent States. Now, if such an amendment to the Constitution is to be made with the concurrence of the people in a referendum, then unless a matter of interest to a constituent State is, at the same time, of interest to all or a majority of the other constituent States, an amendment to the Constitution to let it in would be almost impossible.

Thirdly, as the fountain of financial resources for all the Governments of the country, the Central Authority is in a powerful and unique position. It can, as other Central Authorities are wont to do, use its financial power to exercise forceful or even forcible persuasive influence on the constituent States to get what it wants. No constituent State can ever enjoy this felicitous position of influence on the other constituent States, let alone on the Central Government.

II

Form of Government

IN CHAPTER 5, we have noted different forms of Government. In the same chapter, we have also asserted, with reasons, that the best form of Government is democracy. This, however, does not mean that, at any given time, Nigerian leaders are barred from choosing any of the other forms of Government. But it does mean that they will be doing so with their physical eyes open, and with their inner eyes blinded by excessive ambition, morbid love of power, utter indifference to the welfare of their people, and mad disregard for worthy, well-established, and well-vindicated political precedents. It does mean also that once they have eschewed democracy in favour of say oligarchy, autocracy, or tyranny, they must be prepared to accept the ineluctable and inseparable consequences of their action.

In this connection, they must be reminded that any form of Government other than democracy is evil because its motive forces are greed and utter disregard for the rights, welfare, and happiness of the people. Unless it is exceedingly benevolent (which is rare), or the masses of people concerned are primitive, ignorant, and disease-ridden, an oligarchical, autocratic, and tyrannical regime can only be sustained by fraud, intimidation, or violence. At the same time—and this is the incontrovertible verdict of history—it is more often than not changed by soul-less intrigue, satanic terror, or extreme violence. This should not surprise us. In its common form, oligarchy, autocracy, or tyranny in any State automatically generates its own antithesis which, through dialectic processes, produces change which may be evolutionary or revolutionary, bloodless or bloody. In contrast, however, since a democratic Government is installed by the free consent of the majority of the people, it is equally alterable by similar consent—sans intrigue, sans terror, sans violence.

Therefore, if we want to behave like wise men, we must learn from the valuable experiences of others; we must be guided by the principles which we have expounded in Part II, and follow, with the utmost fidelity, the now well-charted path of democracy. But as we have noted in Chapter 5, there are more ways than one of practising democracy. Hitherto, we have, all of us, indiscriminatingly and unscientifically followed the British democratic practice, as if it was the best method, and, in any case, because our British masters had taught us to believe that it was the only method worth emulating. But we now know better. From the exposition which we have made, it is quite clear that the American method is better than the British, and that the French method under de Gaulle is better than the American. In the proposals which follow, we will try to adapt the best in the French and American methods and introduce our own innovations. To this end, we will formulate a series of basic principles which, in our view, are concomitant to democracy, compatible with the *raison d'être* of a State, and indispensable to the liberty, well-being, and happiness of individual citizens. When we have stated these principles, we will comment on them as and where necessary, for purposes of explanation and clarification.

(1) There should be a Head of State and a Head of Government for the Federation of Nigeria, who would be designated President and Vice-President, respectively. The Head of Government for each Region would be known as Governor.

(2) The office of President should be purely ceremonial, and should be held in two-yearly rotation by anyone not being under the age of 55 years, selected by a simple majority of the members of the Legislature of the Region concerned. The selection shall be formally ratified by Parliament. The rotation among the Regions should be on the basis of population, in descending order of magnitude.

(3) The Vice-President and the Governor should be directly elected by an absolute majority of the registered electors of the Federation and of the Region respectively, voting at the election. Where there are two or more candidates and no one candidate secures an absolute majority, there would be another ballot

within, say, 30 days, between the two candidates who secured the highest votes during the first ballot.

(4) The Vice-President or the Governor should not be a Member of Parliament or of the House of Assembly. But each should be free to appoint the other members of his Executive from outside, or from among the Members of Parliament and Regional Legislature, as he pleases.

(5) The tenure of office of the Vice-President or the Governor should be five years; but no one should hold either office for more than four consecutive terms.

Some people hold the view that there should be no Head of State as distinct from Head of Government because, according to them, the duties of the former can and should be performed by the latter. They contend that the office of Head of State is more or less a sinecure, and that the expenses incurred in maintaining it could be usefully saved. They contend further that it is derogatory to give the title of Vice-President to the Head of Government who, under these arrangements is called upon to bear the very heavy burden of the day-to-day administration of the affairs of the Federation, whilst the gentleman who does practically nothing in this regard goes by the revered and pre-eminent title of President.

For our part, we beg to differ. We are strongly of the opinion that the office of the Head of State is essential not just because it is fashionable to have one—usually to compensate a retired elder statesman—but because we believe that it is in the interest of the country that such an office should exist.

Headships of foreign diplomatic missions in Nigeria, as in other countries of our size and importance, change hands and increase in number, from time to time. By diplomatic etiquette, the old and the new incumbents are required respectively to bid farewell, and to present their letters of credence, to the Head of State. On such occasions, it is conventional for short speeches to be made. Again, it is the accepted custom among nations that, from time to time, one pretext or other should be found for a social get-together between the Head of State and the foreign diplomats accredited to his country. In addition, foreign Heads of States may visit Nigeria

either at their own pleasure, on our invitation, or in connection with important international conferences. While they are within our gates, they must not only be looked after and made comfortable by Nigerian protocol officers. Our Head of State must personally see to it that they are made to feel at home during their stay in Nigeria. Similarly, our own Head of State should, now and again, visit other countries for the purpose of promoting and strengthening our friendship with them.

In addition to all this, there will be a large and ever-growing number of public and social engagements of a domestic nature, in and outside Government in different parts of the Federation, which will make incessant demands on the time and energy of the Head of State.

It is imperative that all the diplomatic engagements mentioned above should be fulfilled in order to promote harmonious relations between our country and other countries, and to enhance our reputation abroad. At the same time, it is also imperative that as many as are humanly possible of the domestic, public, and social assignments should be discharged in order to foster public weal and contentment at home.

This is not all. There will be a number of State ceremonies at which the Head of State will have to officiate *virtute officii*, in addition to performing such formal statutory functions as may be laid upon him by the Constitution.

It is our considered opinion that no Head of Government who is intent on an efficient and successful performance of his duties, especially in an under-developed country such as ours, can and should combine in himself the multifarious and essentially ceremonial duties of a Head of State, involving, as they do, so much pomp and pageantry.

Furthermore, the creation and perpetuation of a Father-of-the-Nation image, through the office of the Head of State, can be a tremendous influence in 'the uniting and knitting together of the hearts' of the various national groups in the country. No active politician—and a Head of Government must unavoidably be an active politician; no active politician, however great his kudos among the people, can effectively personify the symbol and project the

image of the Father-of-the-Nation to all the divergent and conflicting interests in the Federation.

From the foregoing reasons, it will be seen that the establishment of a separate office of the Head of State is a necessity. The expenditure of maintaining such an office will be more than offset not only by the undivided attention which the Head of Government will thereby be able to give to the problems of his office, but also by the goodwill which the activities of the Head of State will earn for the Government at home and for the country abroad.

In our view, there is nothing derogatory in designating the Head of Government Vice-President. There may well be a sobering and humbling ring about the title. If so, we must welcome it most heartily as a healthy and wholesome innovation in Nigerian and, indeed, African politics. The opportunity for unselfish service to the people should count far more with African political leaders than the title which is attached to a particular public office.

Under the old Constitution, each Region had a Head of State, known as Governor, in addition to a Head of Government who bore the title of Premier. We are unhesitatingly of the opinion that the office of Head of State in the Region is otiose and should be abolished. Its statutory functions under the old Constitution are very few, and they should either be transferred to the President or be taken over by the Regional Head of Government or his nominee on his behalf.

We have proposed that the Vice-President should be directly elected into office by the votes of the registered electors in the whole of the Federation, while the Governor should in his own turn be elected—also directly—by the registered voters of his Region. We have done this because the former system whereby it was possible for the Prime Minister of the Federation or the Premier of a Region to be elected or returned unopposed by a single constituency is most undesirable.

The defects inherent in the former system are serious and harmful. It automatically gives rise to a situation in which the Head of Government looks upon his constituency as the only ladder by which he climbs to power, and regards his party together with his colleagues in Parliament or Legislature as constituting the only solid ground on which the ladder is based. Three things, therefore,

matter to him above all else: his constituency, his party, and his parliamentary colleagues. It is these three, in the Nigerian experience, which he most sedulously cultivates and nurtures, to the comparative neglect of the people under his rule. With the result that he commits acts or lays himself vulnerably open to charges of parochialism, nepotism, and narrow-minded partisanship. There have been instances in Nigeria of Heads of Governments who were little known, if at all, outside their own individual constituencies and the immediately adjoining areas, and who would have lost heavily in a country-wide or Region-wide electoral contest.

The new system will remove all the defects of the old. The Head of Government, be he Vice-President or Governor, will be compelled, against such parochial inclinations as he may have, to look upon and assiduously cultivate the entire country or Region as his constituency. His party, on whose platform he was elected to office, and his parliamentary colleagues, on whom he relies for the passage of his legislative and other measures, will still count very much in his reckoning. But they will no longer be his alpha and omega. Knowing full well that his single mandate is more than equal to the mandates of all his colleagues put together, he will be able to deal with them from a position of strength. He will be able to restrain their excesses and maintain high-level discipline among them. Furthermore, he will have an unshaken self-confidence, which must *ipso facto* be denied to someone who has been elected by only one constituency, that he is the accredited representative of the majority of his people. Such self-confidence as this is essential for the initiation and execution of bold and radical programmes which are in the overall interests of the people.

His periodic meetings with the people as well as electioneering campaigns will no longer be confined to the constituency of his birth or adoption, but will be so arranged as to cover different parts of the Federation or Region. And when and wherever he does meet the people, he will do so, not as a stranger; not as an outsider; and not through the agency of any of his colleagues. He will do so in his own right, as one of them; as their friend; and as a worthy servant and mentor in whom the people directly repose confidence. In other words, he will owe no allegiance to only one national group or

constituency: he will instead give his unstinted loyalty to all. If he had any tendencies towards parochialism or sectionalism, he would, if he still wanted to continue in business, kill or curb them. At all times, he would strive hard to let it be seen and known that he is above national loyalties, above tribe, and above narrow-minded partisanship.

A situation might arise, though the likelihood is somewhat remote in the Nigerian context, that a Head of Government is elected mainly on his personal merits, while the party on whose platform he stands is rejected at the polls. In such an unlikely event, he would have a minority of supporters in Parliament or House of Assembly and would be at the mercy of the Opposition majority for the passage of his measures through the Legislature. There is no doubt that the Head of Government, whoever he is, would employ his ingenuity and resourcefulness to overcome the situation, confident that the majority Opposition cannot throw him out of office by an adverse vote in the Legislature. He could, among other things, invite the Opposition to come into a coalition Government with him. But if this and other manœuvres failed, the work of Government might be completely paralysed by an intransigent and irresponsible Opposition. To anticipate a situation such as this, there should be provisions in the Constitution to the effect that any public bill other than a bill for amendment to the Constitution, or Government measure, proposed to and rejected by Parliament or Legislature, with or without amendment, in three successive meetings, during a period of not less than three months, shall become operative notwithstanding the rejection by Parliament or Legislature.

The common sense behind a provision like this is obvious and unimpeachable. The Head of Government has the mandate of the people in the same way as do the members of the Legislature put together. Until the contrary is shown, his actions during his tenure of office should be deemed to reflect the wishes and yearnings of the people in the same way as the actions of the majority Opposition. Mistakes and errors of judgment will undoubtedly be made and committed by either side. But these should be left to the verdict of the people at the next general elections.

We have already declared that the Head of Government should

be free to select his ministers from among, or from outside the ranks of the members of the Legislature. Two advantages are sure to accrue from this innovation. In the first place, it will help to encourage separation of powers between the Executive and the Legislature; for to the extent that such a separation exists, so much will the Executive and the Legislature be independent of each other in the discharge of their respective responsibilities. For example, when Members of Parliament do not have to fawn and cringe and fall over one another in their bid and scramble for ministerial appointments, they will feel freer to perform the duties which they owe to the electorate, fearlessly and without the kind of dishonourable compromises which were among the ugly features of parliamentary life in the First Republic.

In the second place, the Head of Government will be free to assemble the best team of ministers which his party and the country or Region can offer. It is not always that the most competent persons stand for election, or, when they do, have the politician's 'magic' to attract enough votes for a victory. In this connection, it must be recognized that it is going to be several years hence before politics in Nigeria can attract many of our ablest men and women. Yet the logic of our under-developed status together with its attendant problems enjoins us to mobilize and employ for the work of Government all available talents, without of course doing damage thereby to the other essential theatres of our national endeavour.

In order, however, that the Government may enjoy the confidence of the people, it may be advisable that not more than half of the total number of ministers should be appointed from outside Parliament which, be it remembered, comprises the duly accredited representatives of the people. All the same, the number of non-parliamentarians in his cabinet should be at the absolute discretion of the Head of Government rather than of obligatory constitutional provision.

(6) Electoral franchise throughout the Federation should be based on universal adult suffrage.

(7) There should be one Common Roll or Register of Voters for all elections in all parts of the Federation.

(8) The Federal Parliament should be bi-cameral; whilst the Regional Legislatures should be uni-cameral.

(9) General elections to the Federal and Regional Legislatures as well as the elections of the Heads of the Central and Regional Governments should be held every FIVE YEARS ON THE SAME DAY throughout the Federation.

(10) Political parties should be registered with the Federal Electoral Commission; but only a political party which is country-wide or region-wide both in character and operation and whose membership is open to all Nigerian citizens should be so registered.

(11) Every candidate for election into the Federal Parliament, Regional Legislature, or Local Government Council, whether or not he is opposed by any other candidate or candidates at such election, shall be voted for, and shall be declared duly elected only if he scores an absolute majority of the votes cast at the first or subsequent ballot.

(12) Every member of the Federal or Regional Legislature should be directly elected by the electors in the constituency which he represents.

(13) A member of any Legislature who resigns his membership of, or is expelled from, the political party on whose platform he was elected into the Legislature shall automatically lose his seat in the said Legislature.

(14) Every Nigerian citizen should be deemed to be qualified to stand for election in any part of the Federation.

(15) All Federal and Regional Legislatures should stand automatically dissolved THIRTY DAYS before the expiration of five years from the date on which the immediately preceding General Elections were held into the said Legislatures. No Legislature should be dissolved otherwise.

(16) The two Houses of Federal Parliament should have equal legislative powers.

(17) The Federal Parliament or Central Government should not have the power to suspend or perform the functions of a

Regional Legislature or Government in any circumstance, save when the Federation is at war.

(18) The Regional Legislature or Government should not have the power to suspend or dissolve a Local Government Council in any circumstance, during the council's statutory term of office.

(19) Elections to Local Government Councils should be conducted every three years, and at least three-fourths of the members of any such Council should be directly elected by the registered voters in the area of the Council.

(20) An Electoral Act, containing all the provisions relating to the conduct of all elections in the Federation, and based largely on the principles contained in the Appendix, should be a Schedule to the Constitution.

There is scarcely anyone in Nigeria who will dissent from the above propositions. All the same, we are making comments on them, firstly in order to make sure that any possibility of misunderstanding is removed, and secondly in order to show that there is a rational basis for formulating them.

The limitation of franchise to adult males in the Northern Region of Nigeria has been justified in the sacred name of Islam. But both in theory and in practice, Islam itself proclaims the claim made in its name to be false. In the first place, we are authoritatively informed that there is nothing in the teachings of Islam which forbids women from voting or being voted for at elections. On the contrary, Islam positively and categorically upholds the equality of the sexes in the home and in public life. In the second place, in most of the countries which are declared by constitution to be Moslem States or which are predominantly Moslem in population, like Turkey, Egypt, and Pakistan, for instance, the practice which prevails gives the lie to the Nigerian claim and practice.

It is conceded that it is the vogue among a good many well-to-do Moslems, all over the world, to keep their wives in purdah; and that it is improper for such women to be compelled to go into queues at polling stations to be seen and stared at by other men. But apart from the fact that the fashion of keeping women in purdah is fast

dying out in many leading Moslem countries, there is nothing in our Constitution or electoral law which makes it obligatory for any adult male or female to exercise his or her voting right. And we feel sure that there is no one in this country who would wish the Australian system of compulsory voting incorporated, at this stage, into our Constitution.

The demand has been made in some quarters that there should be another census enumeration, on the grounds that the last one was deliberately falsified and inflated. This is a point which has our sympathy, but on which, for electoral purposes, we do not feel very strongly. However, whether or not a new population count is done, there should be no difficulty in compiling a new accurate register of voters for the whole country on the basis of universal adult suffrage. Once this is properly done to exhibit ward units and Local Government areas, there should be no necessity whatsoever of continuing the pernicious practice, which prevails in some parts of the country, of compiling a new electoral register for every election other than federal. This practice, it must be stressed, has created room for all kinds of electoral frauds; it should be terminated by making provision in the Constitution that only the Electoral Roll compiled and revised from time to time by the Electoral Commission shall be used in all elections in all parts of the Federation.

Allied to these topics of universal adult suffrage and the Common Electoral Roll are the issues of election of candidates and unrestricted eligibility. With regard to the latter, every Nigerian should, in our opinion, have the right to stand for election in any part of the country. It has been contended that there are people who would feel affronted if someone other than a 'son of the soil' were to be presented to them as their candidate. That may well be so. In such circumstance, the affected people are perfectly free to show their resentment by rejecting the 'stranger' candidate, and voting solidly for one of themselves. It will not do to anticipate a resentment which may never be shown by marring the pages of our Constitution with a provision which is tangibly and indefensibly discriminatory.

Under the old Constitution with four (later five) Legislatures, the frequency of elections was a terrible and tantalizing nuisance. Each Head of Government was free to dissolve his own Legislature

whenever it suited him. As a result, politicians were obliged to spend a good deal of their time and energy either in preparing for elections, in actual electioneering, or in post-election recriminations. In other words, it could not be conscientiously said that Heads of Governments and their Ministers devoted their full time and energy to the work of government and to the formulation and execution of plans and programmes which should make for the material progress and advancement of the people. For the entire populace, there were only short intervals of calm and tranquillity, as the whole country was continually shaken by pre-electioneering, electioneering, and post-electioneering tremors.

With eighteen Regions in the country, and therefore nineteen Legislatures, the position would be infinitely unbearable if the old system continued. It might well mean then that there would be a general election into one Legislature or other every five months on the average; which would in turn mean that, for practically every day of our lives, we would be engaged in electioneering. This, if it were allowed to happen, would put us on the straight and wide road to economic disaster. Furthermore, one sure way of discrediting the ballot box is, so to say, to place the people in a state of permanent electoral siege. It happened in Germany in the early days of Hitler and it could happen anywhere. Multiplicity of elections tends to satiate the people's appetite for democratic practices. It is obvious, therefore, that everything possible should be done to prevent the occurrence of an insufferable and deleterious situation such as this.

By making provision in the Constitution for all the Legislature to stand automatically dissolved on the same day, we would preclude the dangers which multiplicity of elections imports and also put an end to the practice whereby a Head of Government would dramatically and suddenly call for a general election at a time when to do so might perilously aggravate the political temperature of the entire Federation.

Furthermore, there would be at least four and a half years of comparative calm and serenity, which would be completely free from electioneering and election fever, and during which politicians in charge of administration could devote their whole attention to devising ways and means of tackling and solving the economic and

social problems of the country. These same beneficial ends will be achieved by also providing in the constitution that all general elections—both Federal and Regional—including elections of all the Heads of Governments, should be held on one and the same day. If this is done, some additional advantages of far-reaching character are sure to accrue.

The conduct and supervision of elections, as we know, does cost the Governments a lot of money, whilst electioneering is a veritable drain on the precarious finances of political parties. The holding of Federal and Regional elections on the same day will surely result in huge savings for the Central Government as well as for political parties and individual candidates. The demands on the forces of law and order on polling days would be a once and for all quinquennial affair; and policemen in particular would be relieved of the nerve-racking regularity with which they have had to move, hitherto, from Region to Region on different polling days.

Electioneering itself would be broadly-based, as all those who matter in the politics of the Federation would have a personal stake in the outcome of the fight. From the point of view of a large number of candidates, this would be a boon. Under the old system, many candidates had to raise loans at exorbitant rates of interest to fight what were more or less lone battles. But under the proposed arrangement, things would be made much easier for them. They would reap munificently from the electioneering campaigns of their Party leaders, particularly those of the leaders that are running for the Headships of Governments. They would thus be free from the crushing burdens of local Shylocks. And to the extent that they are saved from getting into the grinding shackles of moneylenders, even to that extent would dishonest practices among parliamentarians be reduced. For it is the frantic effort to lighten his financial burden that has led many a parliamentarian to the path of dishonour.

A good deal has been said and written about the pattern which the structure of our Legislatures should follow. That is to say, whether they should be uni-cameral or bi-cameral.

There are two well-known justifications for the existence of a Second Chamber. The first, which is common both to a Unitary and a Federal Constitution, is that it gives the country's law-makers

an opportunity for second thoughts which, on major issues, are very necessary and useful. The second, which applies only to a Federal Constitution, is that it helps to correct inter-state disparity in membership which automatically exists in the Lower House where representation is on the basis of population. In the Upper House, representation is usually the same for every constituent State, large or small. Now, let us see how the Legislature of a constituent State, and that of the composite State, fare in the light of these justifications.

In a constituent State, the issues which come before the Legislature are of purely domestic character. Any error committed in respect of them can only have strictly circumscribed intra-state consequences. Whereas, in contrast, an error of judgment in matters relating to defence, foreign affairs, and the like, would not only have country-wide but also international repercussions. Therefore, whilst there is obvious need for second thought at the composite State level, the need for protracted deliberations at the constituent State level is not so apparent.

Furthermore, under the old Constitution, representation in the Upper Houses of the Regions was more or less on the basis of population, and the elections of members thereto were invariably decisively influenced by the Regional Heads of Government. The position would be likely to remain the same in the future. Besides, the Regional Upper Houses were not intended and had never been used as instruments for correcting any imbalance in representations as between major and minor national groups, or major or minor tribal units within each of the Regions. With the application of the multi-lingual principle, there will no longer be any problem arising from the co-existence of major and minor national groups in one and the same constituent State. But such a problem will continue to exist in the Federation as a whole.

On all counts, therefore, the case for a Second Chamber in a constituent State fails; but that for an Upper House for the composite State succeeds.

We are of the considered opinion, however, that the Second Chamber for the composite State should be elective in the same way as the Lower House. Under the old Constitution, the Second

Chamber for the Federation could not at all be said to be truly representative of the electorate. The members were the nominees of the Head of Government, or at best, of the ruling Political Party, of the region which they purported to represent. As a result, the old Senate was effete and ineffective, both as a deliberative and a legislative Chamber. It was all too eager to support anything that the House of Representatives did. Consequently, instead of affording the Lower House a chance for second thoughts, the old Senate, by its undisguised sycophancy, encouraged the House of Representatives to indulge in rash and ill-digested 'first thoughts' on all major issues.

On the other hand, a Second Chamber whose members are directly elected by the electorate will be more articulate and virile, and will fearlessly serve the three traditional purposes of a Second Chamber in a Federation. It will afford the Parliament as a whole an opportunity for second thoughts on important issues; it will correct interstate disparity in representation in the Lower House; and it will give protection and succour, whenever necessary, to minority linguistic groups.

As elected representatives of the people, members of the Upper House are *ipso facto* entitled to be on equal footing, in all respects, with the members of the Lower House. In other words the Upper House is entitled to exercise all and the same powers and functions as are, and may from time to time be, vested in the Lower House. The only reason why an Upper House only has deliberative but not legislative jurisdiction on money bills and resolutions, and only has delaying power over other bills and measures, is because its members are not, strictly speaking, regarded as the accredited and duly elected representatives of the people. This disability will not attach to an Upper House whose members are directly elected. There should, therefore, be provision in the Constitution conferring equal powers on both the Upper and the Lower Houses. In the event of a deadlock on any matter, the two Houses should resolve it by majority votes at a joint session, which should be presided over by the President of the Upper House.

We venture to assert that the unanimity, among right-thinking Nigerians, on the thirteenth proposition above, is so complete that

it hardly calls for any comment from us. All we would like to say therefore, is that much of the dishonesty, venality, bad faith, brazen opportunism, and utter lack of idealism which plagued our public life under the First Republic had their roots in the fact that a parliamentarian could make a trade of his parliamentary membership with impunity. It is in the general interest, therefore, that we must employ the opportunity, which the making of a new Constitution presents, to put an end to this kind of dishonourable and infamous behaviour, by inserting a provision to the effect that any Member of any Legislature who resigns his membership of, or is expelled from, the political party on whose platform he was elected into the Legislature shall automatically lose his seat in the Legislature concerned.

It is a notorious fact that one of the things which precipitated the January-1966 *coup d'état* was the open threat by a major political party that it was going to rule Nigeria for ever. This threat was both taken seriously and deeply resented, for very good reasons. The political party in question had a strong, 'iron-curtained,' and despotic hold over the Northern Region which, in population, is more than half of the entire Federation. By means of several unedifying manoeuvres, it always had electoral advantages over all other parties in that one Region. Consequently, it dominated the Central Government. Even so, it confined its membership only to people who derived from the Northern Region. When it eventually decided to extend its activities to the other Regions, it did so by means of alliances only with political parties based on those Regions.

This sort of situation must never again be allowed to occur, either in the whole of the Federation or within a constituent State. In this latter respect, we hasten to emphasize that it is not impossible, unless we take steps now to prevent it, for a political party in a Region to confine its membership and activities to only one or two tribal groups within the Region and still win power there, as in the case of the major party to which we have just previously referred. One way of going about the solution to this problem is to make provision in the new Constitution to the effect that all political parties should be registered, and that only a political party which

is Nigeria-wide in its membership, character, and operations shall be so registered. In other words, the Constitution should stipulate that every political party must be country-wide in name, must make its membership open to all Nigerian citizens without any discrimination whatsoever, and must be able to field candidates in at least three-fourths of all the constituencies at general elections. Furthermore, it should be provided that any political party which does not fulfil these conditions shall not be registerable, and if already registered shall be struck off the Register.

Since the extent of a political party's field of operation and its capacity to contest three-fourths of the seats at general elections cannot be known in advance, the procedure should be that any political party which applies for registration should be registered. The acid test of its *bona fides* will come when general elections are about to be held. If at the time a political party fails to field the required number of candidates, or it is discovered that the list of candidates submitted by it includes fictitious names which if removed will bring the number of candidates remaining below the minimum statutory figure of three-fourths of the total number of seats, then the Electoral Commission should have the power to exclude it from taking part in the pending general elections, and to strike out its name from the Register.

This proposal may appear harsh on the face of it. But a closer look will reveal that Nigeria stands in dire need of this kind of provision. The continued unity of Nigeria, as a democracy, will depend to a very great extent on the emergence and continued existence and virile growth of a strong country-wide political party system. In this connection, it should be noted that one of the reasons why the Regional Governments proved stronger than the Central Government was because each of them had a Region-wide political party in control of its administration. If a country-wide political party had been in charge at the centre instead of an alliance of regionally and tribally based parties, the Government of the First Republic would have been much stronger and inspired much more confidence. It is, therefore, one of the paramount duties of the Constitution to encourage the emergence, and foster the growth, of country-wide political parties.

At the same time it is possible that those who are unable to place or keep on the Register sectional or tribally based political parties may choose to stand as independent candidates. Our own experience is that those who form sectional or tribal political parties, by whatever name they are called, or who stand as independent candidates, are invariably a few disgruntled party men who for some personal and mercenary reasons have fallen out with their parties, or who have failed to secure official nomination on the platforms of their parties and believe that they can whip up the narrow sentiments of their tribes or clans to collect enough votes for victory at the polls. A good deal of fulmination has been uttered against narrow nationalism and extreme tribalism, and various suggestions have been made for stamping them out. Now, if we are genuinely sincere in our desire to stamp out these evils, then one of the fertile soils for their growth which must be ruthlessly scorched is an independent candidate at elections. There should be provision in the Constitution, therefore, that only persons who are sponsored by registered political parties shall be allowed to stand as candidates in any elections.

It can be argued, with attractive plausibility, that a provision such as this would be a denial of one of the citizen's fundamental human rights. But surely, as we have abundantly shown, the possession of fundamental human rights by the citizen does not mean that he can do just what he likes or fancies, regardless of the consequences of his actions to his neighbours or to the State. In this case, it has been shown that to make room for independent candidates at elections is to advance the cause of harmful sectionalism, which has, with unanimity, been pronounced one of the deadliest enemies of the corporate continuance of Nigeria as composite State. In the circumstance, it becomes our bounden duty to discourage its growth, even though the citizen's fundamental right in this regard may be subjected to disciplined and other-regarding restraint and direction.

Besides, as we have said before, only a few mercenary and disgruntled persons contest elections as independents, or form *ad hoc* tribally based political parties, usually on the eve of a general election. An analysis of federal electoral figures for 1959 shows that only 16, out of an aggregate total of 312 successful candidates, were independents and members of tribally based parties. Together they

scored a total of 578,893 votes out of an aggregate total of 7,185,555, while the percentage of their total votes over the aggregate votes cast was 8.1%.

Furthermore, by analogy, the proposed provision is even justifiable on purely technical grounds. Freedom of association is one of the fundamental rights of a citizen. He therefore has the right to float a private limited liability company or promote a public one if he so desires. But there are certain obligations which the law imposes upon anyone who desires to incorporate and run a private or public limited liability company. He must meet such obligations or go without a limited liability company together with the advantages which flow from owning and operating such a company. Similarly, anyone who is unable, in association with others, to fulfil the conditions whereby he could exercise his right to stand for election, should uncomplainingly allow the law to have its course.

It will be seen, therefore, that to place a ban on independent candidates is legally justifiable, and will not work injustice on anyone. On the contrary, such a ban will help to instil in Nigerian public men that sense of discipline and adherence to great ideals which the country's political leaders lack—and need very badly.

Local Governments serve the dual purpose of being the foundation on which the Regional and Central Governments rest, and the agencies through which the Regional Governments, and occasionally the Central Government as well, touch the lives of the people most intimately. They do more. At their level, the practice of democracy is much nearer the ideal than it is at either the Regional or Central level. The Local Government ward is, in most places, small enough for its entire membership to meet and confer regularly, and for a conscientious Councillor to have personal contact with every man or woman, boy or girl. Furthermore, Local Governments provide so many arenas for training in public management for, and afford opportunities for participation in public life to, many more public-spirited citizens than would ever have a chance at or even reach the Regional or Central level.

In short, the importance of Local Government in fostering a democratic way of life, in promoting good Government, and in sustaining the Regional and Central Governments, cannot be over-

emphasized. It is imperative, therefore, that it should be strengthened and democratized wherever it is known to be weak and undemocratic. We would be deceiving no one but ourselves if we imagined that there are some magical political tricks by means of which we could make an autocratic or oligarchical Local Government set-up serve as a sure foundation and lasting support for democratic institutions at the Regional and Central levels. We would end up either with a rickety and crooked superstructure or with a catastrophic collapse of the whole edifice.

One of the evils which plagued our lives under the First Republic was the existence of feudalism in Northern Nigeria. Education, modernization of agriculture, and full employment, will in time kill this evil. But we would considerably hasten its demise by making provision in the constitution now that not less than three-fourths of the members of every Local Government Council should be directly elected.

The experiences of the past have shown quite clearly that it is unsafe and not in the interest of democracy and public order, to vest the Central Government with the power of suspending a Regional Government or the latter with the power of suspending or dissolving a Local Government Council. We now know that such power has, more often than not, been used not for the public good, but in furtherance of the narrow partisan interests of the political party in control of the superior Government. Consequently, the action of suspension and dissolution has always been regarded by the people affected as a blatant affront, and a derogation and subversion of their right and authority to elect the people of their choice, to form and run their Government. In the controversy and recriminations that have invariably followed, the most rabid bitterness and hatred have been engendered between the rival political parties involved, leading eventually to violence, and sometimes bloodshed and death.

If a Regional Government or Local Government Council is bad, it should be left to the responsible electorate to so declare at the next election. It is most improper, on all counts, for an extraneous body, however highly placed it may be, to substitute its own arbitrary judgment for the will and wishes of the electorate. In every instance

to which one can point, when a Regional Government has been suspended or a Local Government Council has been suspended or dissolved, it is crystal clear that far more mischief and inconvenience has been brought on the people than would have been the case if the Regional Government or Local Government Council had been left severely alone till the next election.

In the event of a grave threat to public order arising from the action or inaction of a Regional Government or Local Government Council, it is our candid opinion that the superior Government should and can devise other means for coping with the situation without recourse to the arbitrary and extremely provocative procedure of suspending the State Government or dissolving the Local Government Council concerned.

Apart from all we have said, it is a gross violation of the principle of federalism for the Central Government to deal in such a high-handed manner with a Regional Government. It destroys the very essence of co-ordinateness which ought to exist between them.

It should, therefore, be provided in the Constitution:

- (i) that the Federal Parliament or Central Government should not have the power to suspend or perform the functions of a Regional Legislature or Government in any circumstance, save when the Federation is at war; and
- (ii) that the Regional Legislature or Government should not have the power to suspend or dissolve a Local Government Council in any circumstance, during the Council's statutory term of office.

(21) Fundamental human rights should be entrenched in the Constitution; and there should be provisions to the effect that nothing in the Constitution or in any law should derogate from such entrenched human rights, except in times of war, emergency, epidemic, or in so far as is necessary to give effect to a judicial decision or secure respect for the rights of others. The old Constitution makes provisions for the following rights:

- (i) Freedom from intentional deprivation of life.
- (ii) Freedom from torture, inhuman or degrading punishment or treatment.

- (iii) Freedom from slavery, servitude, or forced labour.
- (iv) Freedom from deprivation of personal liberty.
- (v) Freedom from interference with privacy, family life, home, and correspondence.
- (vi) Freedom of thought, conscience, and religion.
- (vii) Freedom of expression, to hold opinions, and to receive and impart ideas and information without interference.
- (viii) Freedom of assembly and association, and in particular to form or belong to trade unions and other associations for the protection of personal or corporate interests.
- (ix) Freedom of movement throughout Nigeria, and of residence in any part thereof.
- (x) Freedom from discrimination on the grounds of place of origin and religion, of holding a political opinion, or of belonging to a particular community or tribe.

These rights have been taken from the United Nations Universal Declaration of Human Rights. But as embodied in the Constitution, they suffer from two grave defects. First, they are inadequate in that they do not include any of the fundamental social rights contained in the Universal Declaration of Human Rights. Secondly, all the rights, with the exception of items 1, 3, and 4, are so limited in the sections of the Constitution providing for them as to make them nugatory for all practical purposes.

As regards the first defect, it is important to point out that the world has moved very far away from the era when it was believed that the only rights which a Constitution is called upon to entrench and guarantee are the so-called natural rights of man. In many civilized countries, the citizen's rights to various social amenities are now regarded as fundamental and inalienable as those rights with which Nature endows him at birth. The right to education and the right to work are among such rights. Apart from this empirical development, we have, we believe convincingly, established, in Chapter 5, the reasons for man's indefeasible entitlement to both natural and social rights. Furthermore, the United Nations Organization has accorded authoritative recognition to all these rights, in that they are included in its Universal Declaration of Human Rights which was made in 1948, and has been persistently propagated and upheld by it ever since.

With regard to the second defect, four types of limitation are noticeable. The first type relates to item 2. The Constitution permits the subjection of a man to torture, inhuman or degrading punishment or treatment in Northern Nigeria, where such forms of punishment or treatment were regarded as lawful and customary on 1 November 1959! It will be agreed by all right-thinking persons that such a custom as this is repugnant to human decency and good conscience, and should be abolished. The second type relates to items 5 to 10. The limitation in each case is preceded by the following expression—'Nothing in this section shall invalidate any law that is reasonably justifiable in a democratic society....' Then the limitation follows.

It follows that if a law is, or is about to be, enacted which detracts from any of the rights provided in the Constitution, a citizen can only successfully resist such diminution or threatened diminution of his right in a court of law if he is able to establish to the satisfaction of the presiding judge or judges that the enactment or proposed legislation cannot be reasonably justifiable in a democratic society. In other words, he will have to establish, by evidence or the citation of legal authorities, the indisputable characteristic features of a democratic society, as well as what is and what is not reasonably justifiable in such a society. He is not likely to succeed in discharging this formidable onus unless the presiding judge or judges are prepared to apply without undue qualification (which is doubted) foreign standards and precedents in similar or analogous cases.

The third type of limitation concerns items 9 and 10 where the Constitution discriminates respectively against a person who is or was a chief, and against the female sex.

The fourth type also concerns item 10. Here the old Constitution makes it lawful for discriminatory restrictions to be imposed with respect to the acquisition or use of land or other property.

In order to remove the aforementioned defects, the new Constitution should contain the following provisions:

- (i) Freedom from intentional deprivation of life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty.

- (ii) Freedom from torture, inhuman or degrading punishment or treatment.
- (iii) Freedom from slavery, servitude, or forced labour save
 - (a) in consequence of the sentence or order of a court; or
 - (b) in the event of any emergency or calamity threatening the life or well-being of the community.
- (iv) Freedom from deprivation of personal liberty, save in the circumstances set out in Section 21 of the Republican Constitution.
- (v) Freedom from interference with privacy, family life, home, and correspondence.
- (vi) Freedom of thought, conscience, and religion.
- (vii) Freedom of expression, to hold opinions, and to receive and impart ideas and information without interference, including freedom of the Press, save that restrictions may be imposed upon persons holding office under the State, members of the armed forces or of the police force.
- (viii) Freedom of assembly and association, and in particular to form or belong to trade unions and other associations for the protection of personal or corporate interests.
- (ix) Freedom of movement throughout Nigeria, and of residence in any part thereof.
- (x) Freedom from discrimination on the grounds of sex, place of origin or religion, of holding a political opinion, or of belonging to a particular community or a national group indigenous to Nigeria.
- (xi) Right to education.
- (xii) Right to health.
- (xiii) Right to just and favourable conditions of work.
- (xiv) Right to work and to just remuneration.
- (xv) Right to protection against unemployment for people able and willing to work.
- (xvi) Right to social security, especially in the event of unemployment, sickness, disability, or old age.
- (xvii) Right to property, and to protection of property against confiscation or acquisition without compensation.

- (xviii) Right of every child, whether born in or out of wedlock, to equitable treatment and social protection.
- (xix) Any law or executive action which derogates from or interferes with the right of any citizen to form, register, and operate a country-wide or Region-wide political party shall be null and void and of no effect.
- (xx) Any law or executive action which declares the Federation or Region a one-party State shall also be null and void and of no effect.
- (xxi) No limitations on or derogation from any of the fundamental human rights shall be lawful save
 - (a) in time of war or emergency*, in the interest of defence, public order, or public safety;
 - (b) in so far as such limitations are imposed solely for the purpose of securing due protection or respect for the rights, interests or freedoms of other persons or groups of persons or the public at large; and
 - (c) that items 11 to 16 shall be subject to other provisions relating to normative social objectives.
- (xxii) In the determination of his freedoms and rights, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such a manner as to secure its independence and impartiality.

(22) The appointment of a Judge or a public servant should be free from any taint or semblance of political influence or partial affection.

(23) Only a barrister or solicitor who possesses one or more recognized university degrees with at least second-class honours in one, and has had at least 10 years' practice at the Bar, or as an alternative, 5 years' practice at the Bar plus 5 years' experience as a Magistrate or court official, should be appointed as a Judge.

** An emergency would be deemed to exist only in the event of widespread natural calamities such as flood or famine or widespread disorder and rioting likely to lead to considerable loss of life.*

(24) The Civil Service should be divided into classes—such as Professional, Scientific, Technical, Administrative, Executive, and Clerical; and entry into each class, other than the Professional, Scientific and Technical classes, should be by competitive examination. Entry into the Professional, Scientific, and Technical classes should be by the possession by the applicant of the prescribed professional, scientific, or technical qualification. Promotion within each class should be strictly by merit. All employees of statutory Boards, Corporations, Commissions, or Bodies, shall be deemed to be members of the Civil Service for purposes of first appointments and promotions.

Over the door of the Academy at Athens, says tradition, was the following inscription: *No one without a knowledge of mathematics may enter here.* In the Academy, Plato taught men to become law-givers, statesmen, judges, and leaders.

If we had our way, we would insist that no one without a good knowledge of mathematics, or logic and methodology, and psychology, in addition to his professional qualifications, should be elevated to the Bench. The rigorous mental drill which these disciplines enforce; the tidiness of mind and precision in thought and presentation which the study of mathematics, logic, and methodology inculcates; the dependable tools for the investigation, analysis and interpretation of facts which logic and methodology provide; and the breadth of outlook and a deep comprehension of 'the complex of human passions' which psychology imparts—all these, among other things, are a *sine qua non* of any healthy trial or adjudication of disputes. The Court, as an organ of the State, is *sui generis*. It is the citizen's bulwark of last resort against the tyranny and unconstitutionality of the Executive and Legislature, and against illegitimate invasion of, or arbitrary threat to, his rights, liberty, property, and life, from any quarter whatsoever. Those who are posted to protect this bulwark against violation must possess the finest intellectual and moral equipment.

For many obvious reasons, Nigeria cannot and must not, in future, brook mediocrity in any sphere of her public life; more especially so when such mediocrity tries to show its face in that

sphere where, if admitted, it will be entitled by Constitution to wear the ermined robe and the silk gown of judicial finality.

It has been said that the hood does not make the monk, and that examination is not a true test of a man's ability. Well said. But it must be conceded that to wear the hood without being a monk is impersonation or a piece of play-acting; and that the only truly objective test and measure of a man's intellectual attainments and hence of his ability is the scale of his performance at an examination. The better his performance the greater his potentialities. In this connection, we hasten to acknowledge—and here we would like to confine ourselves to the Bench and Bar—that there have been a few instances where those who had had comparatively lesser academic attainments have performed most brilliantly at the Bar or on the Bench. These men are few and far between; and they belong to that race of Nature's freaks which will for ever defy and falsify objective classification, estimation, and forecast. They are, in popular parlance, the exceptions which prove the rule.

It will, we hope, be generally agreed that an honours degree from a good university does more than just act as a pointer to high intellectual attainments and an above-the-average ability. In addition, it infuses into its possessor, confidence, self-respect, sense of sufficiency, and intellectual courage. It cannot be disputed that the average standard of academic accomplishments in the judiciary should be as high as, if not higher than, that prevailing at the Bar or, indeed, in other sectors of our public life. Furthermore, the Bench, because of the unique role it is expected to play, should be so adorned by its occupants that it becomes invested with such a halo as can spontaneously command general respect, and at the same time exert a most powerful attraction on the best among the lawyers. Unfortunately, this is not at present the case in Nigeria. We happen to know a number of legal practitioners who have consistently turned down offers of judgeships, not so much because the acceptance of such an offer would bring financial loss to them, but chiefly because they cannot equate judgeship in Nigeria with elevation.

In addition to academic qualifications, a person should have long and intensive practice at the Bar before being appointed as a Judge. Such a practice will strengthen and enhance his academic qualifica-

tions and moral qualities. He will be immensely enriched in experience, thereby. What is more, his success at the Bar will fortify his spirit of independence and self-reliance.

In any case, the independence and impartiality of the judiciary cannot be secured by making the Bench accessible to those who have not done so well in the academic race and/or find it difficult to make a living at the Bar. It probably did not matter very much when appeals lay to the Judicial Committee of the Privy Council as our Final Court of Appeal. But now we are, quite rightly, on our own. And it becomes imperative, in the interest of justice, that we should make the Nigerian Bench as strong as ever we can.

It will no doubt be argued, with justification, that this proposition will work unfairly on Magistrates who have not had five years' practice at the Bar before their appointments and/or do not possess the required university degree. In order to meet these cases, there should be a proviso to the effect that on the coming into force of the new Constitution, ten years' post-call experience at the Bar and/or on the Magisterial Bench plus the required university degree would be enough in respect of serving Magistrates. It follows then that Magistrates who aspire to move up to the High Court Bench but do not possess the prescribed academic qualifications will have to tackle some university degree examinations, as external students. Those who feel too old or too tired for this kind of exacting but exhilarating mental exercise should be content to stay where they are.

It has been said that Governments may come, and Governments may go, but the Civil Service remains for ever. It is a most merciful thing indeed that the Civil Service remains largely unaffected by the vicissitudes of politics. What a tragedy, for instance, it would have been if the recent reverses in the fortunes of politicians had hit the civil servants more or less equally! The smooth take-over by the army would have been impossible. There would have been a chaotic collapse of public administration, with harsh and injurious effects on the welfare of the people.

The importance of the Civil Service in any society cannot be over-estimated. Without the civil servants, Government programmes would not even be worth the paper on which they are

written, and momentous Government pronouncements would only amount to so much 'sound and fury, signifying nothing'. Indeed, a proficient and incorruptible Civil Service is the most valuable asset with which a country can be blessed. It is, therefore, a matter of overriding consequence that it should, as far as possible, be insulated from political bias, contamination, and subversion.

It should be our constant aim and endeavour to create a congenial atmosphere for the rearing of a breed of civil servants who will feel free at all times to express their expert opinions to their political bosses with courage and candour, and who will also be objective enough to accept and carry out the ruling of their political bosses, even when they regard such a ruling as palpably wrong.

Now, if we are to succeed in rearing a breed of efficient, upright, and objective civil servants, we must see to it that their entry into, and promotion within, the Service are absolutely governed and dominated by sheer merit, and totally free from every taint or semblance of political influence, nationalism, tribalism, and nepotism. These evils, as we all know too well from the painful experiences of civil servants, have proved to be corrosive of morale, perverse of honesty, destructive of self-confidence, self-respect, and initiative, and subversive of self-effort aimed at self-improvement and greater efficiency in one's chosen profession or vocation.

It is to the end of ensuring the efficiency, independence, and incorruptibility of our Civil Service that we have enunciated the principle that entry into, and promotion within, the different classes of the Civil Service should only be by recognized professional qualifications, competitive examinations, and merit. Later on, we shall be making proposals designed to remove the appointment of the members of the Public Service Commission from partisan political interference and manipulation. We think that the body which will be charged with the conduct of Civil Service examinations should, in like manner, be free from political interference and manipulation. Otherwise our objects would be defeated.

We are, therefore, of the considered opinion that there should be provision in the Constitution stipulating that the Body of Examiners for Civil Service Examinations should be set up, every five years, by a Convocation of which five representatives elected by the

Examining Body of each of our Universities shall be members. The Convocation will elect its own chairman. There should also be provisions: (1) that the quinquennial and other meetings of the Convocation shall be convened by the Vice-Chancellor of Ibadan University or the Chairman of the Public Service Commission; and (2) imposing severe sanctions on the Examining Body of a University which fails to carry out its duty in this regard, and on any person for failure to attend the meeting of the Convocation or to carry out any assignment given to him by the Convocation.

Hitherto, the services of Boards and Corporations have been the dumping grounds for political favourites who would not have had a ghost of a chance if they had had to pass through the Public Service Commission. As a result, the standard of efficiency and performance in these bodies is, generally speaking, below that of the Civil Service. In order to close this avenue for the continued perpetration of the evils which we have already noted, and to ensure the same high level of efficiency and performance in all our public services, employees of Boards and Corporations should sit for the same examinations and be subject to the same Public Service Commission as civil servants.

Qualifications for eligibility to sit for the competitive examinations should from time to time be prescribed by the Public Service Commission. But the relevant Organic Law should provide that the eligibility qualifications thus prescribed shall not be lower than the following:

- (i) For Administrative Class: a recognized university degree with second-class honours.
- (ii) For Executive Class: a recognized university degree or Advanced Level in three subjects or Higher School Certificate; and
- (iii) For clerical Class: School Certificate.

(25) As far as possible, provisions should be made in the Constitution concerning the detailed structure of each of the three Organs of the State.

We would like to explain that provisions such as these are known as Organic Laws and deal among other things,

- (i) with the salaries, retiring age, pensions, and other conditions of service of judges and public servants, as well as with the organization of the Courts and the Public Service;
- (ii) with the conditions of service of Ministers, their appointment, their functions, and the composition of the Cabinet; and
- (iii) with the composition of the Federal Parliament and State Legislatures, and the manner of electing members thereinto.

Matters coming under Organic Laws may be legislated upon in one of three ways, or they may be classified under various heads and legislated upon in one or other of the three ways. That is to say laws relating to such matters may be

- (i) incorporated in the Constitution,
- (ii) subject to special procedure before passage in the appropriate Legislature, and
- (iii) subject to the ordinary procedure for enacting Laws.

It is up to the peoples of Nigeria to make their choice from among these three methods. But we are strongly of the opinion that, whatever we do, we must see to it that provisions relating to the salaries and conditions of service of Ministers and judges, the number of Ministers which each Head of Government may appoint having regard to the extent of his responsibilities, and the powers, functions and privileges of the Head of State, should be fully embodied in the Constitution, in order to take them right out of the arena of the type of villainous, corrupting, and mercenary politics with which the country has been afflicted for upwards of 15 years.

It may be objected that it is rash to provide for the salaries of Ministers, judges, and Members of the Legislatures in the Constitution, because in due course of time the cost of living might become very high, and the public functionaries concerned might be hard put to it to make two ends meet on their fixed emoluments. We do not share this view. If the figures decided upon are reasonably generous, they should attract the right type of public-spirited persons to the service of the country, and keep them there for the next 50 years or more. Ministers of Cabinet rank in Britain, with the ex-

ception of the Prime Minister whose salary was doubled in 1938, and again increased recently, have remained static on the same scale of salary for more than 50 years.

(26) A Code of Conduct should be embodied in the Constitution which shall prescribe Rules of Discipline by which Ministers and other specified functionaries, in all the branches of each of the Organs of the State, shall be bound and guided. Appropriate sanctions against any violation of the Code should also be provided for in the Constitution.

In most countries of the world, particularly in Britain which serves as our model in many things, a Code of Conduct has no force of law. Ministers and other persons holding positions of public trust are left in their deliberate judgment to observe the rules of discipline laid down in the Code. In other words, it is up to public men to determine when they believe they have offended against any of the rules, and to take swift steps to invoke appropriate conventional sanctions against themselves. British political history is full of instances when Ministers and other public men have not hesitated to be their own impartial judges. They had been known to have resigned from office, even when their colleagues had honestly thought that no violation of the Code had taken place. That is to say, British public men would rather err on the side of over-rigidity and over-strictness, in the observance of the Code of Conduct, than on the side of lenity.

Here in Nigeria, such a sense of honour as is exhibited by public men in Britain and in most civilized countries is unknown. Public men will stick to office after they have committed the most heinous breach of public morality. In fact, in the dying months of the First Republic, the brazen and unconcealed commission of acts of depravity and of violent breach of public trust by Ministers was regarded as the hallmark of power.

Revolution, if it stems from the just indignation of the people, is a very useful and salutary political instrument. When it is successful, it consumes and cleanses the political Augean stable as nothing else known to man can. But an Augean stable is an odious thing. Wherever it exists, it pollutes the atmosphere and threatens to suffocate

human decency. It must not be allowed to recur in any country. For apart from its oppressive stench, the operation which is required to cleanse it—as we now know from practical experience and not merely from reading the histories of other lands—is of such a major character that its repeated performance is sure to undermine the stamina of the country concerned, if it does not actually terminate its life.

It is, therefore, incumbent upon us to so organize and order our affairs as to ensure that the things which favour the undisturbed accumulation of filth—until it becomes so colossal as to warrant a revolution to remove it—do not exist. That is to say, either the occurrence of filth must be prevented or every bit or piece of it must be abated as soon as it occurs. Fortunately for us, we know the distinctive characteristics of these filthy articles so well that, with some application of mental effort, we can adequately provide against their recurrence or accumulation.

Our new Constitution should, therefore, contain detailed provision for rules of discipline of Ministers, Parliamentary Secretaries, Members of Commissions, Boards, and Corporations, judges, certain categories of public servants, and other persons holding positions of public trust.

(27) The appointment and removal of the members of the following Commissions should as far as possible be free from any taint or semblance of political influence or partial affection:

- (i) the Public Service Commission;
- (ii) the Judicial Service Commission; and
- (iii) the Electoral Commission.

Until recently, enlightened persons in Nigeria were agreed that these three Commissions should have jurisdiction throughout the whole of the Federation. The point on which there was complete inarticulation was the manner in which the Chairmen and Members of these Commissions should be appointed. From this, it would appear that the implied suggestion was that the old method whereby the Head of State made the appointment on the advice of the Prime Minister should remain.

If this is so, we beg most emphatically to differ. If these com-

missions are to be truly independent, impartial and just in the exercise of their functions, arrangements should be made whereby their chairmen and members would be appointed independently of the Executive, the Legislature, or any single individual. To this end, the Constitution should make provisions for the setting up of a Body which we would like to call the 'College of Appointors'.

The College should be composed of the following:

1. The President, who will be *ex officio* chairman.
2. The Vice-President.
3. The Regional Governors.
4. Retired Presidents, Vice-Presidents, and Regional Governors.
5. Twenty persons representing each of the following bodies:
 - (i) Christian denominations and organizations;
 - (ii) Moslem denominations and organizations;
 - (iii) trade union organizations;
 - (iv) Nigerian Union of Teachers;
 - (v) Nigerian Union of University Teachers;
 - (vi) professional bodies and organizations other than the Nigerian Bar Association;
 - (vii) the Nigerian Bar Association;
 - (viii) Chambers of Commerce and other commercial and industrial organizations;
 - (ix) farmers' co-operative societies and other Farmers' organizations; and
 - (x) traditional chiefs.

The qualifications of the twenty persons each, under paragraph 5 above, should include literacy in English and eligibility for election as a Member of the Upper House of the Federal Parliament; and disqualifications should include:

1. membership of Federal Parliament, Regional Legislature or Local Government Council, provided that a traditional chief who is an *ex officio* member of a Local Government Council shall not be disqualified by reason of such membership;
2. membership of the Public Service or of the country's Forces;
3. holding any office of profit under the Government or any of its agencies;

4. holding office in a Political Party; and
5. ineligibility for election as a member of the Upper House of the Federal Parliament.

Within a period of time, which should be stipulated by the Constitution, the President should, in consultation with the Vice-President, compile a list of candidates for each of the three Commissions. The number of candidates in each case should be thrice the total membership of the Commission. That is to say, if the total membership of a Commission is seven, the President should get up a list of twenty-one candidates. The President, in consultation with the Vice-President, should also compile details of the character, experience, scholastic qualifications, and any other information which may be useful in assessing the relative merit and suitability of every candidate. When all this has been done, he will then convene a meeting of the College. The names of the candidates for each Commission will be submitted to the members of the College after they have assembled at the meeting. In other words, no one, other than the President, the Vice-President, and the President's confidential Secretary should have any knowledge of the names of the candidates until after the members of the College shall have assembled. One hour or so after the names, qualifications, etc., of the candidates have been submitted to the members of the College, they would be called upon to vote on them one by one: one Commission being taken and disposed of before another. Voting shall be by secret ballot. Only candidates who obtain an absolute majority will be returned. If there are more than the number of members of a Commission who obtain such a majority, then the required number will be chosen in order of votes scored.

At this meeting, there should be no speech-making, no canvassing or lobbying in favour of any candidate, and the College should remain in session continuously, that is, if need be, from day to day and without adjournment, until their task is accomplished. Arrangements for food and accommodation, if required, should be made at the place of meeting. In other words, the members of the College should have no contact with any other person outside their numbers, and those who cater for them, until they have duly appointed all the

members of the three Commissions. For this purpose, the Secretary and other Officers of the College, all of whom must be so appointed by the President, should be deemed to be members of the College, even though they cannot participate in voting.

The members of a Commission duly appointed by the College, should at its first meeting elect their own chairman for the duration of their term of office, which should be five years from the date of their appointment by the College; save that the Chief Justice of the Federation shall be both *ex officio* member and chairman of the Judicial Service Commission. A member of any of the Commissions should only be removable from office by the College on the grounds of inability to discharge the functions of his office or for misbehaviour.

It is our considered opinion that the method now proposed for the appointment of the members of these Commissions is much better than the old one. It combines the wisdom and sagacity of the President and Vice-President with the Appointors' unimpeachable detachment and freedom from bias or partial affections in determining the memberships of the three Commissions. To this extent it ensures the independence and impartiality of the members of the Commissions much more than the old system of appointing these members could ever pretend to do.

We are not unmindful of the fact that in constituting this College, a number of problems will arise. How, for instance, are the Christian and Moslem organizations going to be defined and identified? Who is going to convene the meeting of all the traditional chiefs in the country with a view to getting them to elect their twenty representatives? How are factions within the trade unions going to be brought together to transact the business of electing their own twenty representatives? What rules will govern proceedings at the meeting of the College when they assemble for the purpose of appointing members of the Commissions, or of removing any of them?

These and similar questions are not at all difficult to resolve. We could have tackled them here; but we consider that such an exercise involves too many minor details for the present discourse.

As we stated at the beginning of this portion, it had been generally

agreed until recently that the three Commissions which we have been discussing should have jurisdiction throughout the country—both at the Federal and Regional levels. The last nine months have witnessed a complete change in this climate of opinion. It is now being canvassed, with a considerable measure of success, that the Central and Regional Authorities should each have its own set of commissions. It is not our wish to join issue here on this change of front and the circumstances which have brought it about. All we would like to say is that the arrangement we have proposed is as applicable to the entire country as it is to each of the Authorities separately.

There should be three other Commissions as follows:

1. The Armed Forces Service Commission.
2. The Police Service Commission.
3. The Prisons Service Commission.

The members of each of these Commissions should be appointed by the President, acting in accordance with the advice of the Vice-President. If the latter is to discharge his responsibilities of maintaining the peace and safe-guarding the security of the Federation, he must be given a free hand in dealing with the affairs of these three powerful arms of the country's order and security.

It may be feared that the Head of Government might employ these executive arms of the Government to oppress and victimize his political opponents. Our considered view is that this would be possible only if he tore up the Constitution or deliberately violated such of its provisions as we have already suggested. If he did this, certain unpleasant consequences would inevitably and inexorably follow. But if he observes the provisions of the Constitution and the other Organs of the Government do the same, the citizen should have nothing to fear from the provisions which we have here proposed. Above all, the suddenness and total successes of the coup and counter-coup of 1966 have taught a grim lesson which no future Head of Government in Nigeria will ignore.

(28) The three Organs of the State, namely, the Legislature, the Executive, and the Judicature, should, as far as possible, be

made to function separately from and independently of one another. In other words, there should be separation of powers.

In Chapter 5, we have dealt fully with the doctrine of separation of powers, and we have nothing more to add to what we have said on the subject. This much, however, we venture to say. We believe that in all the proposals which we have made in the preceding pages for a new Constitution for Nigeria, we have tried scrupulously to adhere to the principle of separation of powers.

(29) Nigeria should be a secular State.

The existing association between the composite State of Nigeria together with some constituent States in the country on the one hand, and the Church on the other, is embarrassing and should be completely severed. It is a British custom which is, to say the least, apish, unreflecting, and discriminatory for us to preserve.

Why should there be State Services at all? Why, even if they are necessary, should they be confined to the Anglican Churches, and not held in Churches of other confessions and in the Mosques as well? Why should the clergy participate in the opening of Parliament or Regional Legislature? And that reminds us: why should the judges also participate in such an opening, which is a purely political function? Why should there be any religious Services at all in connection with the opening of the assizes? And why, if such Services are necessary, are they not held in Churches other than those of the Anglican confession, and in the Mosques as well?

The whole thing is ludicrous! God is everywhere; and His ever-ready responsiveness to our supplications is not confined to any Church or place.

To be sure, it is a very good thing indeed for the Churches, the Mosques, and other religious gatherings, to pray, from time to time, for the success of the Government of the day, if they are convinced that its plans and programmes are good and promotive of the welfare and happiness of the people. But it would be wrong, and of course futile, for them to pray, as they did in recent years, for the success of a manifestly satanic administration. For the reformation of such a government, they certainly must pray. By participating in State Ceremonies, and getting too much involved in official functions,

some religious leaders find it difficult to speak out with freedom, forthrightness, and courage, in condemnation of what they know to be evil in the doings of the State.

We have just been talking of separation of powers among the organs of the State. We strongly believe that, as far as possible, there should be separation of activities between the State on the one hand, and religious bodies on the other. By this same token, we think that it is time the Judges kept or were kept far away from such State Ceremonies as the opening of Parliament or Regional Legislature.

In any case, speaking generally, it is our fervent hope that, for many a year to come under the new dispensation, austerity and discipline, in public as well as in private life, will be the order of the day, and that we shall have very few occasions for ostentation and vainglorious pomp and pageantry.

(30) The head, picture, image, representation, name, or description of any living person should not appear on any coin, currency, postal or money order, or stamp, in circulation and use in Nigeria; with the proviso that the signature of the Governor, Director or other official of the Central Bank of Nigeria on the country's currency shall not be regarded as such a name or description.

(31) The statue, statuette, or bust of any living person should not be made or erected at Government expense.

Constitutional provisions to give effect to these propositions are necessary and urgent in order to prevent the spread to Nigeria of a fell political disease which is already in evidence in certain parts of Africa. Once a Head of State or Government begins to put his head on his country's currency, etc., and to commission the making and erection of his life-size statue at Government expense, then it is certain that he has fallen victim to tenacity of office. At that stage he finds it extremely difficult to contemplate retirement or loss of office to an opponent in an electoral contest. For as far as he is concerned either event might mean the disappearance of his head from the coins. As a matter of fact, one of the reasons for putting his head on currency and coins, is to hold himself out as the fountain

of the people's wealth, as contrasted with his opponent who cannot make such a claim. In order to stay in office for the rest of his life and to keep his head on the coins and his statues in the streets, he descends to dishonourable and villainous practices during elections.

In the long run, however, he is deposed or assassinated; his statues are destroyed by the angry and exasperated citizens; and the country is involved in the new expenditure of having to withdraw the old coins, etc., from circulation and replacing them with new ones. All this has happened before in the Dominican Republic, and is already happening in Africa. The tragedy of this type of malady is that every megalomaniacal tyrant believes that his predecessors in infamy and depravity were just not clever enough!

In any case, what does an African Head of State or Government gain by having his head on coins and his statues all over the place, while the masses of his people wallow pitifully in a slough of ignorance, poverty, and disease? Nothing, but the contempt of civilized and right-thinking people all over the world!

(32) Documents circulated, or statements and speeches made, by any person in the Federal Parliament or Regional Legislature should not be given any special protection, but should be actionable in the same way as documents circulated or statements and speeches made by anyone at a public meeting.

It is common knowledge that many Nigerian parliamentarians have in the past employed the cover of parliamentary privilege to defame their private or public adversaries, viciously and deliberately, even when the latter had no opportunity of defending themselves on the same forum. It would appear that many of our public men have not developed enough broad-mindedness and sense of decency and chivalry to be accorded the sacred protection which parliamentarians enjoy in Britain and other civilized countries. And we are of the considered view that it would do our public life a world of good if this privilege were withdrawn.

(33) If it is to have any chance of permanency, the new Constitution should be drafted by a Constituent Assembly, and then submitted for approval to the people in a referendum.

We all know what a referendum means. But it does not appear that there is a union of minds as to what a Constituent Assembly connotes. For even when there was a duly elected Parliament for the country, many apparently intelligent people called for the setting up of a Constituent Assembly to review our Constitution. They went further to suggest that such an Assembly should consist of representatives of various interests, including political parties, trade unions, farmers' organizations, trading concerns, etc. A body constituted in this way and in the circumstances then prevailing, cannot strictly be described as a Constituent Assembly. The pre-requisite of a Constituent Assembly is the overthrow of a regime or the establishment of a new State. We already have the former. But the inherent and inseparable attribute of a Constituent Assembly is that it must be composed of the accredited representatives of the people duly elected by the registered voters in the country, in the same manner as members of Parliament or Legislature are elected. This we must have. Anything other than this, we submit, cannot in strict constitutional sense and usage, be a Constituent Assembly. And it would be a grand deception not only to give it that name, but also to describe any constitution produced by a handpicked motley assembly as the PEOPLE'S CONSTITUTION.

As regards referendum, the questions which should be submitted to the people must be few and straightforward and must relate only to fundamental issues. In our own considered view, the people should be asked to make a choice from the following alternatives: Federalism or Unitarianism; Democracy or Non-democracy; Socialism or Capitalism.

Land of Plenty and Want

NIGERIA is a land of plenty and of want. It is very rich in natural and human resources, but it is extremely deficient in the quality of the three productive agents of labour, capital, and organization. Politically it is free; but economically it is utterly subservient.

With an area of 356,669 square miles, Nigeria is 'the size of France, Belgium, and the United Kingdom put together'. And with a population of 55.6 million, it is half 'France, Belgium, and the United Kingdom put together', and the ninth largest country in the world.

Its comparatively large area is replete with valuable agricultural, forest, animal, water, and mineral resources. In human and natural resources, it compares more than favourably with Congo Kinshasa and Mauritania, respectively. The density of its population is greatest in its South-Eastern and South-Western parts. But, otherwise, its peoples are fairly well spread out all over its face; so that there is neither over-population nor under-population in any of its States.

Though only about 16% of Nigeria's soil is under cultivation, yet the country produces enough of a large variety of foods and livestock for domestic consumption; and its exports include large quantities of agricultural, forest, and animal products, such as cocoa, oil-palm produce, cotton, groundnuts, rubber, timber, and hides and skins. Even all this, impressive as it is, falls well below what the unaided fertility of the country's soils is capable of producing. In its report, entitled *Agricultural Development in Nigeria 1965-1980*, the F.A.O. classifies 37% of Nigeria's soils as of high and medium productivity; 47% as of low productivity; 79% as having strong, good, and medium potentialities; and 10% as of slight potentialities. Only 16% of the country's soils is classified as

of very low or no productivity, and 11% as of very slight or no potentialities.

Nigeria's potentialities are enhanced by the fact that, geographically, it lies roughly between latitudes 5° and 15° north of the Equator, and is blessed with a fairly mild tropical climate. Consequently, barring malaria and other debilitating diseases, its climate favours human exertions of a high order. It also favours the growth of good-quality wheat, carrot, potato, etc., and the cultivation of better-quality cotton as well as a number of Mediterranean crops and fruits.

The country's mineral products, so far as they are known, include tin, columbite, lead, zinc, iron-ore, uranium, coal, gas, and oil. Nigeria is now one of the largest mineral oil producers in the world. It would be reckless to say that Nigeria's list of mineral resources is closed. Some twenty or more years ago, the country was a not inconsequential producer of gold; and there are speculations, even now, that diamond and reasonable deposits of gold might be discovered, if expert and diligent search is made for them. In this connection, it must be emphasized that the geological survey of Nigeria is still in its inchoate stages, and, therefore, very far from being comprehensive or thorough.

The ethnic diversity of Nigerian peoples has political disadvantages which we have noted; but its economic advantages are tremendous and without qualification. Each ethnic unit has innate skills and traits which, speaking generally, are peculiar to it. Some excel in agriculture, others in manufacture, and yet others in the distributive aspects of economic activities. There is a very happy combination of geographical and ethnic divisions of labour in Nigeria: what one area or ethnic unit lacks the others supply; and the whole country stands potentially enriched thereby.

As a whole, the peoples of Nigeria are by nature hardy, industrious, alert, ambitious, forward-looking, and eager to learn. Even the once-conservative, easy-going, and complacent sections of the community are fast undergoing a revolutionary change of outlook and behaviour in order to keep pace and conform, in modern economic terms, with their fellow-countrymen who have different

traditions and are comparatively quicker in embracing some of the more beneficial patterns of Western civilization.

The rate of growth of the population is estimated at roughly 3% per annum. Thus, without more conscious effort than hitherto on the part of Nigerian governments towards economic development, this rate of population growth does imply, other things being equal, an equivalent autonomous growth rate in all the sectors of the country's economy.

In spite, however, of its actual and potential abundance of natural and human resources, the facts reveal, as we shall demonstrate them presently, that economically, Nigeria is an underdeveloped and dependent country. In substantiation of this assertion, it is necessary first to describe and define the essential characteristics of economic underdevelopment and dependence, and then to set out the factual circumstances which place Nigeria in the categories of economically underdeveloped and dependent countries.

It is fashionable these days to refer to underdeveloped countries as developing countries. But it must be generally agreed that the phrase 'developing country' is a euphemism for 'underdeveloped country'. The two phrases are commonly used as synonymous. But in our view, the expression 'underdeveloped country' is more precise and more forthright than 'developing country'. To confine the latter phrase to an economically backward country is misleading and deceptive. No country in the world is stagnant or static. Every country is developing all the time, whether it is already highly developed or terribly underdeveloped. Indeed, the so-called advanced or developed countries are, relatively, developing faster than the underdeveloped ones. The expression 'underdeveloped' is, therefore, a more appropriate epithet to distinguish those countries which are economically backward from those which are economically advanced.

A more or less arbitrary mathematical yardstick is sometimes used by economists to identify countries which are economically backward. If a country's per capita national income is equal to or more than one-fourth of the per capita national income of the United States of America, it is said to be developed. If it is below one-fourth, the country is said to be underdeveloped. But, if we go by this arith-

metrical identification, we miss the true badges of economic backwardness, and the real *differentiae* of an underdeveloped country.

The outstanding physical features of an underdeveloped country must, therefore, be stated. The most prominent feature is extreme poverty. In an underdeveloped country, both the natural and human resources are partly not utilized, partly under-utilized, and partly mis-utilized. This non-utilization, under-utilization, and mis-utilization of resources is wholly due to lack of adequate capital and technique, and to ignorance and poor health, leading to general inertia and want of the requisite enthusiasm on the part of the country's labour force.

Such of the country's natural and human resources as are partially utilized and developed are mainly foreign-trade oriented. This orientation is promoted and encouraged by foreign enterprises for their own benefit, and it automatically generates a system of dual economy in the underdeveloped country. A lot of unhealthy economic consequences follow. The resources which are devoted to the production of export crops are comparatively better developed than those which are devoted to the production of domestic goods. The indigenous enterprises which are engaged in foreign trade are usually better off, economically and materially, than those of their fellow-citizens who are engaged in domestic economic activities. This difference, in material rewards, induces the economically active sections of the community to ignore the cultivation of crops for domestic consumption in favour of export crops. The country itself becomes dependent on foreign trade for its economic sustenance. In order to pay comfortably for the primary produce imported by them, the foreign entrepreneurs deliberately stimulate in the more prosperous sections of the underdeveloped country an inordinate propensity to import. The resultant effects in the underdeveloped country of this unwholesome foreign-trade orientation are unfavourable terms of trade, unstable export markets, and a persistent adverse balance of payments.

It is common knowledge that any form of economic activity or development demands, in addition to natural and human resources, the existence of adequate capital as well as technological and managerial competence. All these, as we have hinted, are very scarce in

an underdeveloped country. Adequate capital is lacking because savings per capita are low, and savings per capita are low because technological and managerial knowledge is either nil or hopelessly deficient, and because the masses of the people are ignorant and unhealthy, and hence economically unenthusiastic and undisciplined. In order to make up for these basic deficiencies, an underdeveloped country always strives to excel itself in creating a congenial and over-generous atmosphere for attracting foreign capital as well as technological and managerial personnel. In this process, it makes itself more economically subservient to foreign interests.

Furthermore, the gap between the rich and the poor is wider in an underdeveloped than in a developed country. The reason for this is not far to seek. The rich, in an underdeveloped country, are invariably the professionals, and those engaged in foreign-trade oriented activities—exporting agricultural products and importing finished articles; while the poor are those engaged in peasant and subsistence farming, and in unskilled employment.

There is one other feature which is common to all underdeveloped countries. As a result of the conquest of space and time, brought about by highly developed systems of communications and information media, all underdeveloped countries, without exception, are exposed to the demonstration effects of the consumption patterns of the developed countries. For psychological reasons, the underdeveloped countries unreflectingly imitate these consumption patterns—placing a premium on ostentations, status symbols, and the like—with disastrous distortions to their economies, and disturbing and unsettling effects on their social structure and political progress generally.

In view of all that we have said on the point, AN UNDERDEVELOPED COUNTRY can be defined as ONE WHOSE NATURAL AND HUMAN RESOURCES ARE PARTLY NOT UTILIZED, PARTLY UNDER-UTILIZED, AND PARTLY MIS-UTILIZED, AND IN WHICH THERE IS A GROSS DEFICIENCY IN THE QUALITY OF THE THREE PRODUCTIVE AGENTS OF LABOUR, CAPITAL AND ORGANIZATION.

Two implied but important assumptions need to be explained. Firstly, it has been assumed that every underdeveloped country has enough of natural and human resources for its purposes. It is

true that some countries are richer in these things than others. But it is also true that, granting a rational exploitation, mobilization, and deployment of these resources, each country has enough of them to make it carry on a happy and economically free existence. Instances are not wanting.

Israel has shown that any kind of land or natural resources can be made productive, as long as the other productive agents are sufficiently qualitative and optimally quantitative. What the Israeli experience has proved beyond any dispute is this: the only difference, between a country which is rich and the one which is poor in natural resources, is that the same dose of the other productive agents will produce better results, when applied to the one than when applied to the other.

In the Sudan, the Gezira Scheme has also shown that natural resources which appear hostile and barren can be tamed and made abundantly fruitful, when the right quality and quantity of the other productive agents is applied to them. Under the Gezira Scheme, not only has a once-barren desert-land been converted into one of the most fertile and productive areas on our planet, but also the nomadic population, which was once uneconomically thinly spread all over the place, is now being permanently settled into viable and lively towns and villages.

Secondly, it has been assumed that Nature has so organized the affairs of this world that no country is deficient in or starved with natural or human resources. Those economists who speak of under-population or over-population relative to the natural resources of a country, are, like Malthus before them, only building far-reaching theories on a complete misunderstanding of man's infinite resourcefulness in the face of difficulties. When Malthus¹ enunciated his famous but erroneous theory of population, he had taken the qualities of the productive agents as given for all time, and had not applied his mind to the vast improvement which was possible and which has since been made in the inherent qualities of such agents. At this stage in human development, it should be admitted that the optimal concept of population is a measure of man's incapacity to keep pace with his economic problems, as and when they arise.

Economic dependence or subservience is the opposite of economic

freedom. In economic usage, however, economic freedom is a phrase of art. It is an inseparable characteristic of the capitalist system. It means—for the individual, interest group, or a country—freedom of industry and enterprise. In this sense, economic freedom epitomizes the postulates of capitalism, and its enjoyment is subject to the two fundamental economic forces of (1) supply and demand or the price mechanism, and (2) marginal utility or productivity.

In other words, a country can be said to be free, in the capitalist economic sense, when, under the auspices of supply and demand and marginal utility, it exercises the right to property, to employ its resources as it thinks fit, to manage its affairs on the basis of equality with, and with the same opportunity as, other countries, and to pursue its own self-interest to the exclusion of others.

We have seen in Chapters 6 and 7 how inimical to human welfare this kind of freedom is. To be of any good to a country, economic freedom must be understood in a politico-economic sense. In this sense, ECONOMIC FREEDOM EXISTS WHEN A POLITICALLY SOVEREIGN COUNTRY, INDEPENDENTLY OF OUTSIDE CONTROL OR DIRECTION, ORGANIZES THE EXPLOITATION AND DEPLOYMENT OF ITS TOTAL RESOURCES FOR THE BENEFIT OF ITS ENTIRE PEOPLE, UNDER A SYSTEM IN WHICH THE FORCES OF SUPPLY AND DEMAND AND OF MARGINAL UTILITY ARE CONTROLLED AND CANALIZED FOR THE COMMON GOOD.

It is important to bear this distinction in mind for a number of reasons. Firstly, the postulates of capitalism, as we have previously noted, are false and a snare; and the forces of supply and demand and of marginal utility, when they are allowed to operate without conscious control, are injurious to all human freedom. Secondly, it is possible for a country to be economically free in the capitalist sense while the majority of its citizens are enslaved, as was the case in European countries under feudalism and *laissez-faire* capitalism. The converse of this is also true; namely, it is possible for the citizens to enjoy economic freedom, in the capitalist acceptance of the term, while the country as a whole is economically enslaved, as is the case with underdeveloped countries including Nigeria. Thirdly, economic freedom, in the politico-economic sense, is also the opposite of economic subjection, in the same sense. While, in this sense,

economic servitude for a country is a concomitant of political subjection, economic freedom does not necessarily go hand-in-hand with political independence.

From the foregoing definitions and analyses, two inferences appear to us to be incontestable. First, a country is underdeveloped simply because it lacks the following indispensable prerequisites of development, namely: education, and good health; technical, managerial, and administrative competence; and capital. Second, an underdeveloped country, by the very fact of its underdevelopment, is permanently exposed to the foreign exploitation and deployment of its resources, and hence to economic dependence, subjection, and what is now called neo-colonialism, even though it is politically independent and sovereign.

We now turn to the facts which, in our view, place Nigeria so firmly, properly, and glaringly in the company of underdeveloped and economically dependent countries, as defined and described, as to permit of no reasonable quibble or rationalization on the point.

The per capita G.N.P. of Nigeria is £22. This is about 1/43rd of the per capita G.N.P. of the United States of America, and about 1/23rd of that of Britain. It is one of the worst two in the world, placing Nigeria in the same poverty bracket as India.

As we have noted earlier on, only 16% of Nigeria's soil is under cultivation. Of the remaining 84%, 62% is uncultivated and not utilized; forests, mountains, and rocks cover about 21%; while buildings occupy about 1%.

By way of comparison and contrast, 81% of Britain's land area is cultivated and utilized. 'The rest is mountain and forest, or put to urban and kindred uses.' This comparison may sound unfair, having regard to the fact that 54 million people live in Britain with an area of 88,760 square miles. But the frightful inadequacy of Nigeria's land utilization can be seen more vividly by comparison with Britain on other grounds. Of the 27 million Britons who are engaged in civil employment, only 800,000 of them—i.e., 3%—do farming, and utilize, among them, 46 million acres of land; an average of 57½ acres per head of the active British farming population. In Nigeria, however, out of our 25 million active labour force, 20 millions—i.e., 80%—are actually engaged in tilling 37 million

acres of land, an average of about 1·8 acres per head of our active farming population.

Thus, by the forcible and irresistible propulsion of statistics, we arrive at the very unpalatable but valid equation whereby 1 British farmer is equal to 32 Nigerian peasants. In the industrial sector, the output of one British worker has been said to be equal to that of between 5-10 Nigerian workers, all depending, in the case of Nigerians, on the particular industry and the kind of labour-saving devices in use.

If our farming, storage, and marketing techniques were modern, and if the education, health, and general living conditions of our farmers were much better than they are, much more acreage of land would be brought under cultivation; far fewer people would be needed on the farm to produce more food and export crops than at present; and the productivity and standard of living of the farming population would rise considerably.

But the truth, as we know it, is that our farming and storage techniques remain more or less the same as those employed by Adam and Eve, soon after their expulsion from the Garden of Eden. What improvement there is in our marketing technique has been brought about, unconsciously, by the corresponding improvement in transportation. In the case of export crops, the techniques of storage and marketing in respect of plantation and non-plantation products are as good as can be. As for production technique, it is excellent in the plantations; and while there is big room for improvement in production technique among non-plantation producers of export crops, the technique employed in producing domestic crops is poorer by far.

The masses of Nigerian people are pathetically malnourished and disease-ridden, and wretchedly clad and housed. But the Nigerian farmers or peasants are more so. The annual output per farmer or agricultural worker is £40. 2s. as against £177 per non-agricultural worker. Though there are no statistical data on the point, it is a notorious fact that farmers who are mainly engaged in the production of export products like cocoa, groundnuts, etc., are much more well off than those whose main occupation is the production of domestic food crops. At any rate it is estimated that only about 300,000

farmers are engaged in the production of cocoa. They cultivate an average of 5 acres each, and earn about £90 per head, i.e. more than double the average for all the 20 million Nigerian farmers. The picture is the same among those engaged in non-agricultural occupations. A top Civil Servant earns, all told, as much as £4,000 per annum, as against the daily paid male worker who earns only £90 in a whole year.

The comparable figures for Britain are approximately £1,000 per annum for a male manual worker—the equivalent of Nigeria's daily paid worker, and £9,200 for the best paid Civil Servant. In other words, whilst the daily paid manual worker earns 1/44th of what is paid to the best paid Civil Servant in Nigeria, his counterpart in Britain earns as much as 1/9th of what is paid to the Secretary to the Cabinet who is the highest paid Civil Servant in Britain. It is easy to infer that, as between the Nigerian peasant engaged in subsistence farming on the one hand, and the Nigerian merchant, business executive, or entrepreneur on the other, the gap must be much wider.

Tax evasion is a chronic and widespread disease in Nigeria. It is more so among those (other than salary earners) who are assessed to personal income tax than amongst those who, because of their obvious poverty, are presumed to have an income of between £1–£50, and are, therefore, called upon to pay only a Poll Tax or what is popularly known as Flat Rate Tax. In the published figures of the Western State, which is, comparatively, the most progressive and most developed State in Nigeria, about 210 people declare an income of over £300 each, whilst about 600,000 are each presumed to be within the £1–£50 income range. Even if the number of tax payers in each income bracket is doubled to make up for tax evasions, the result for our present purpose is the same. The gap between the poor mass of the people and the rich few is very wide, and is already generating growing and bitter disaffection between the two classes.

In 1963 when we gave ourselves a population of 55.6 millions, we had only a total of 563 medical practitioners including specialists, and a total of 25,794 hospital beds, giving us respectively a ratio of approximately 1 medical practitioner to a population of 100,000, and 1 hospital bed to a population of 2,000. The present official

ratio of 1 medical practitioner to a population of 50,000 is erroneous and misleading; because it does not take the existing estimated population, which has been growing at the rate of 3% since 1963, into account. In Britain, by comparison, there are 35,000 medical practitioners including specialists and 464,000 hospital beds, to a population of 54 millions. The ratio is 1 medical practitioner to a population of 1,540, and 1 hospital bed to a population of 116. It would be invidious to compare the qualities of medical practitioners and hospital beds in Nigeria and Britain.

Altogether, only 3 million of our children are receiving instruction in 15,000 primary schools. Of these 3 millions, only half-a-million are receiving instruction in the Northern Region, which is 53.5% of the entire population of Nigeria. There are 160,000 pupils in our secondary schools, 6,700 in our vocational schools, 3,200 full-time and part-time students in our technical institutes and colleges, and 10,000 students in our universities. Comparable figures for Britain are 9 millions in primary schools, 2.8 millions in secondary schools, 2 million full-time and part-time students in vocational, technical, and technological institutes, and 167,000 full-time students in British universities.

Our backwardness in the field of education is aggravated by the fact that we are short of teaching personnel at all levels. There is a shortage of 4,550 graduates and of 5,182 intermediate-level teachers, in our post-primary and teacher training institutions.

Even at our present slow rate of economic growth, year in year out, we trail very far behind our high-level manpower needs, both of the senior and intermediate categories. We are very short of everything: doctors, engineers, accountants, economists, managerial and administrative staff, etc., etc. We have already given the figures showing our shortage of high-level manpower in the teaching profession; another example relating to agriculture will suffice.

The F.A.O. records a shortage of about 1,000 graduates in agricultural faculties 'for adequate staffing of essential government services for agriculture'. According to the same authority, the immediate needs of agriculture are to expand total capacity for agriculture and veterinary students in our universities to 1,550 by 1967/68. In actual fact, the number of students in agricultural

faculties in 1967/68 was below 1,000. With the loss of potential high-level manpower in certain parts of the country, caused by the current civil war, the position, in the near future, is going to be much worse.

Excessive waste of resources, due to injudicious investment arising from lack of technical and managerial competence on the part of Nigerian private businessmen, abound everywhere. With very few exceptions, Nigeria's public corporations are veritable hotbeds of criminal waste of natural and human resources. This is due mainly to fraud, corruption, and unspeakable inefficiency on the part of the Nigerians and, sometimes, non-Nigerians, who manage these corporations.

Most of the Nigerian executives, in charge of these heavily capitalized public concerns, have been appointed out of sheer favouritism and nepotism, and are without any special merits or qualifications for their onerous assignments, with the result that most of Nigeria's public corporations and public-owned companies are grave and almost unbearable public liabilities, and constitute a permanent drain on the country's coffers.

From all accounts, it would appear that the Government of Nigeria has a knack for misapplying our capital investments. It was excusable that the railways built for us by our colonial masters never could do more than 20 miles an hour on the average. But it is unpardonable for us to repeat this performance as we did recently in the case of the Bornu Railway extension. Our roads and bridges are indefensibly narrow, and constitute unmitigated death-traps for their users. Our telephone systems and electricity supplies are disgracefully inefficient and unduly expensive. All of them—railways, roads, telephones, and electricity supplies—are hopelessly inadequate for our requirements.

The precariousness of Nigeria's economy can be seen from the fact that 73% of its exports are primary products, the supply of which is highly inelastic, while about the same percentage of our imports is composed of non-durable consumer goods. Enlightened Nigerians of different social strata, and more especially the well-to-do ones, blindly imitate the consumption patterns of the smarter and the more affluent elements in the developed countries of the world.

As a result of all this, the balance of payments has moved steadily and relentlessly against Nigeria since 1960, and the existing prospect of turning the balance in our favour has been brought about only by the emergence of mineral oil as a major Nigerian export product.

Dearth of accurate and up-to-date statistics is one of the drawbacks of Nigeria's economy. No one knows for certain how many of our able-bodied men and women are unemployed. It has been estimated by Dr. T. M. Yesufu that about 600,000 Nigerians are unemployed. However, we do know with some degree of certainty that under-employment, arising from plain inertia, lack of enthusiasm and incentive for work, or inelastic demand for money income in relation to efforts, is rife. According to the F.A.O., out of a potential Nigerian labour force of 30.6 millions, 25.1 millions are *economically active*, and *only* 14.45 millions are *economically effective*. In the circumstances, our economy is, generally speaking, a subsistence one. We live, more or less, from hand to mouth, and capital formation is *ipso facto* very low.

In order to accelerate Nigeria's economic development, a number of laws have been enacted with a view to attracting and giving incentive to foreign investors who, for the reasons which we have copiously advanced, are able to exploit the resources of the country more efficiently and effectively than Nigerians themselves.

Nigeria has the Industrial Development (Income Tax Relief) Act. This law, which was passed in 1958, provides a tax-holiday to pioneer industries for an original period of up to five years according to the capital invested in fixed assets, with provision for an extension of the period for each year of the original period in which a loss is sustained. Losses may also be carried forward to be offset against tax liability after the expiry of the tax-holiday. A pioneer industry is one which either is not at present being carried on in Nigeria or is not being conducted on a commercial scale suitable to the economic requirements of the development of Nigeria. In order to qualify as a pioneer enterprise, a company must, in addition to satisfying the above requirements, be incorporated in Nigeria and be a public company.

Nigeria has the Income Tax (Amendment) Act which has as its object the granting to companies of a very much quicker write-

down of their capital assets in the early years of trading, so as to enable the company to amortise its capital assets in its formative years, and to build up liquid reserves at an early date. The initial capital percentage for the write-down of capital assets in the case of machinery is 40. This is in addition to the ordinary annual write-down of 5-15%. Thus in the first taxable year of its existence, a company would be enabled to write off from profits, for the purposes of computing taxable income, some 50% of the capital value of the machinery employed by it. Where the taxable income of a company does not absorb the full capital allowances claimed, the unabsorbed balance will be carried forward *indefinitely* against future taxable profits. Unabsorbed losses may be similarly carried forward against future taxable profits. These benefits accrue to all companies, both public and private, which operate in Nigeria, whether incorporated in Nigeria or overseas, and they are not confined to companies engaged in pioneer industries. Where a company receives a pioneer certificate, the write-down of capital assets herein described can be claimed *in toto* at the end of the tax-free holiday.

Nigeria also has the Industrial Development (Import Duty Relief) Act which provides for the repayment, wholly or in part, of amounts paid in customs duty on materials of capital equipment imported for the use of Nigerian industries, where such repayment would be to the country's overall economic advantage. This Act also makes provision for the repayment, wholly or in part, of duty paid on components imported for assembly into finished articles, and the Nigerian Government may enter into agreement with the recipients of any repayment, guaranteeing the continuance of repayments for periods up to ten years.

In addition to these concrete financial inducements, the Federal and Regional Governments of Nigeria made a declaration of policy in 1958 which, till today, remains the Code of Conduct by which the existing Federal and State Governments are guided in their dealings with foreign investors. The declaration of policy reads as follows:

'Profits and dividends arising from sterling or non-sterling capital investment in approved projects may be freely transferred to the country of origin and such capital may be repatriated at will.

Nigeria is a member of the Sterling Area and there is no reason to anticipate any change in this situation.

'Our Governments have no plans for nationalizing industry beyond the extent to which public utilities are already nationalized, nor do they foresee any such proposals arising. Nevertheless they are anxious that there should be no doubt in the minds of overseas entrepreneurs that Nigeria will provide adequate safeguards for the interests of investors in the event of any industry being nationalized in the future. Should this occur, then fair compensation, assessed by independent arbitration, would be paid.'

As a result of all these incentives, a good number of foreign-owned pioneer industries have sprung up in Nigeria—there were 110 of them by 1967—most of which make large profits; indeed some of them make fantastic profits, which are tax-free. Recently, because of the present emergency in the country, it became necessary to tax, in the current 1968/69 fiscal year only, those of these industries whose profits exceed £5,000 in one year, on the understanding that the pioneer periods of the affected companies will be extended for another year. The tax yield is estimated at £2½m.

The economic subservience of Nigeria is conspicuously evident from, and indisputably established by, the foregoing facts which we have marshalled in support of its economic underdevelopment. None the less, for the purpose of emphasis only, we would like to make one or two relevant observations.

Only an infinitesimal proportion of all of Nigeria's export products are consumed locally. The masses of Nigerians are too poor to consume the end-products to which these export crops are put. Consequently, in regard to these primary products, we are completely at the mercy of foreign consumers. When this unique peculiarity (which economists refer to as monopsony) of our export produce is coupled with the high inelasticity of its supply, and when it is recalled that these products constitute 73% of Nigeria's total exports which since 1960 have proved insufficient to pay for our imports, the total dependence of Nigeria's economy on foreign countries needs no further elaboration.

Business enterprises, industrial ventures, and mining activities in Nigeria are dominated by foreign investors. In 1965, according

to Dr. S. A. Aluko, 63% of total industrial investments in Nigeria was in the hands of foreigners. Britain had the lion's share of 45%. Nigerian businessmen are, incontrovertibly, people with very small and outmoded capital, and with very limited technical and managerial skill, competing most feebly and ineffectively with the giant and consummate foreign entrepreneurs. When this state of affairs is viewed in the light of the guarantee of absolute freedom for the repatriation of profits, dividends, and capital, and of the euphoria bestowed on foreign investors by the three Acts to which we have referred, the exploitation and deployment of Nigeria's total resources by foreign entrepreneurs for the benefit of themselves and their countries of origin are proved beyond the possibility of any plausible equivocation or cavil.

It only remains for us to remark, in this connection, that the conditions and strings, attached to those much-publicized foreign loans and aids about which we hear so often, are, from our intimate knowledge of them, such as no self-respecting and economically free and self-reliant country would ever consider, much less accept. None the less, because of its economic circumstances, which, we hope, we have fairly well described, Nigeria continues to hanker after and receive these loans and aids.

What does Nigeria do then to break the shackles of its economic subjection, abolish want, and become economically free and prosperous? The answers to these fundamental questions are the theme of the next chapter.

¹ Malthus: *Essay on the Principle of Population*.

Social Objectives

THE GOALS which Nigeria must pursue are quite clearly two. There is the immediate goal of economic freedom, and the ultimate one of being counted among the developed countries of the world. The two goals can be achieved almost simultaneously, provided they are pursued in the order in which we have stated them. We hold the view, quite strongly, that in the pursuit and attainment of economic freedom, economic prosperity is inevitable. But not the other way round. Every attempt on the part of an under-developed country to achieve economic prosperity, without first of all taking steps to ensure its economic freedom, is not only patently doomed to failure but would also make the country's economic enslavement more certain and tighter.

In order to attain to the goals of economic freedom and prosperity, Nigeria must do certain things as a matter of urgency and priority. It must provide free education (at all levels) and free health facilities for the masses of its citizens. It must breed and constantly maintain an adequate number of professionals, technicians, managers, and administrators. It must, from year to year, produce enough to raise the level of consumption as well as of the standard of living for all the citizens, and, at the same time, to ensure that the quantity and quality of its capital formation progressively increase, so that it is sufficient for its successive investment purposes. Since the welfare of the people is the aim of all economic activities, it must foster and insist on a balanced growth in all the sectors of its economy. In this connection, the equal dignity of all forms of labour must be proclaimed and practically demonstrated; and all those who, because of disability, infirmity, or age, are unable to earn a living should be fully provided for from the public purse. It must discipline its citizens to eschew all forms of ostentatious consumption, be they

traditional or foreign-inspired, as they tend and are bound, in the long run, to distort the utilization of resources, and generate endemic social disequilibrium, which will in turn encourage foreign exploitation and economic enslavement. The full employment of all the natural resources of the country is not practicable at present or in the immediate future. But it is certainly practicable now so to organize the economic affairs of the country as to abolish the unemployment and underemployment of its human resources, and to ensure the exploitation, mobilization, and deployment of its natural and human resources so as to benefit all Nigerians much more substantially than ever before, and without discrimination. In other words, it must maintain a constant state of full employment of its human resources, and must, from time to time, seek to exploit, mobilize, and deploy its natural and human resources much more effectively. It must considerably improve all its systems of communications, in order to bring about greater mobility of resources and outputs. It must resolve to be self-sufficient in non-durable consumer goods. At any rate, it must endeavour to export enough to pay for all such consumer and capital goods as *it has* to import. It must avoid, like the plague, an adverse balance of trade or payments on consumer accounts, because it is this kind of economic factor, more than anything else, that forges, with ruthless effectiveness, a country's chains of economic bondage. Foreign capital should be admitted only for the purpose of executing capital projects which are designed to strengthen the country's economic freedom and self-reliance, as well as its self-sufficiency in durable and non-durable consumer goods. Above all, it must guarantee social justice at home, and self-respect for itself and its citizens abroad.

These then are the social objectives which we consider to be indispensable to the goals of economic freedom and prosperity. In a nutshell, they are designed to achieve and maintain for Nigeria the requisite quantity of Capital and Organization and the requisite quality of Labour, Capital, and Organization.

Having stated these social objectives, the next important question is: how do we achieve them? Before we proceed to answer this question, however, there are two equally important questions which deserve immediate attention. Are these objectives essential to the

attainment of economic freedom and prosperity and are they practicable? Unless we can satisfy ourselves as to their necessity and practicability, it would be a waste of time and effort to embark on ways and means of achieving them.

Many educated, literate, and articulate Nigerians hold views which are divergent from those which we have just stated. They believe that the quickest and most dependable way to the economic freedom and prosperity of Nigeria is energetic and rapid industrialization of the country. For this purpose, foreign investment and loans, in partnership with indigenous capital provided by Nigerian entrepreneurs or by the Government, should be welcomed. When the country is industrialized, workers would get more money to spend on food, clothing, housing, and on the education and health of their children, themselves, and their wives. Farmers, traders, artisans, and others who cater to them would also benefit, and there would be an all-round rise in the standard of living. This, they argue, was the way it was done in Britain, America, and other developed countries, and this is the way it should be done here too. If the country were to pursue the objectives stated above, they insist, monies and resources which should have been utilized in industrializing it would be wasted, and our position, materially, would either be worse than before or remain the same.

Only a few thinking Nigerians understand the forces at work in these matters, and give full support for the social objectives which we have stated. But even some of these doubt their practicability. As for the masses of the people, they whole-heartedly support the objectives; but they do so without bothering their heads as to whether they are practicable or not.

In the discussion of the stated objectives, it must be constantly borne in mind that there are two nuclei around which the others revolve, and by which alone these others can be constantly kept in their proper places in the social orbit. They are: education and health.

It should be clear to anyone that it is not his anatomical superiority, or the climatic conditions under which he lives which make the British farmer or worker so much more productive than the Nigerian farmer or worker. No, not these. What makes the British farmer or

worker more efficient and more productive than the Nigerian farmer or worker is the education and health of the former, the quantity and quality of the capital equipment he uses, and, where necessary, the efficiency of the management under which he works. Experiences of unassailable reliability have shown that if you give a Nigerian, or any other African for that matter, the same education, health, capital equipment, and efficient management, he will produce as much as any farmer or worker in any part of the so-called advanced countries. The more complicated the operation, and the more sophisticated the capital equipment, the greater the skill, mental alertness and resourcefulness, and physical fitness required.

In this era of ever-increasing scientific discovery and invention, the capital equipment required in all the sectors of the economy is becoming more and more sophisticated and complicated. But its mastery means greater productivity and higher standard of living. It is for this reason that the so-called developed countries of the world are investing more and more in education of all kinds, more especially in scientific, technological, and professional education. Britain now spends as much as £30,000 to produce one scientist or technologist because it regards this class of people as the creators of its wealth. The United States of America spends more than Britain to produce a scientist or technologist. And it is because the U.S.A. pays the members of its 'technostructure', to use one of Galbraith's neologisms, better salaries, and employs more sophisticated capital equipment in production, that it now constitutes a disturbing brain drain on Britain to the tune of as many as 42% of her young scientists and technologists. It is generally accepted that the productivity of an American worker is higher than that of a British worker.

Experiences have also shown that an educated manual labourer or so-called unskilled worker is, other things being equal, more efficient and hence more productive than his illiterate and uneducated counterpart.

In the light of these modern trends, the falsity or untenableness of the contention of those who advocate industrialization before education is visibly and tangibly exposed. But the historical falsity of the contention should also be exposed.

In the early days of the Industrial Revolution, the capital equipment in use in the factories, compared with that now in use, was primitive. It was simple, and required little or no mental exertion to operate it. The Agrarian Revolution, which had preceded the Industrial Revolution, had thrown and continued to throw off many people from the farmlands. They were an illiterate and unsophisticated lot; but they provided the type of cheap labour which fitted very comfortably into the mechanized manufacturing system then in vogue, as well as into the prevailing factory conditions. At that time in the late eighteenth century and for many years thereafter, education or literacy was not essential to the efficient operation of the crude machines in use in the factories; and the industrialists themselves cared nothing about the education and health of their workers. There were so many people available for employment, in any case, that premature and epidemic deaths did not create scarcity of labour.

Today, the position is different. In order to increase productivity and enhance the levels of our living standards, as well as maintain the parity of our currency with other currencies, modern capital equipment is necessary. But its economical utilization demands skilled and sophisticated operators. Otherwise, this equipment would be ruined and the capital invested in it would be lost. The only alternative is to bring foreigners to operate such equipment, and pay them, mostly, in their own currencies, several times more than the indigenous operators.

Furthermore, the lesson which the history of industrialized countries in Europe and elsewhere has taught is that Industrial Revolution must be preceded by Agrarian Revolution. The greater the productivity of the farming population, the smaller the number of people required to produce food and raw materials, and the larger the number of people thus made available for industrial and other economic activities. There is an obvious contradiction in the advocacy of the industrial school of thought in Nigeria. In one and the same breath, they advocate industrialization as well as the compulsory return to land of the educated youths who have drifted into the urban areas in search of work. If Nigeria is to become truly industrialized, then our aim must be to reduce the number of people who work on the farmlands, by modernizing and mechanizing

agriculture in such a way as to ensure that fewer and fewer farmers produce enough for the increasing food and raw-material requirements of the country. Some of the youths who have deserted the rural areas should certainly be sent 'back to the land'. But they should be sent back to modern agriculture, *not* to primitive methods of tilling the land. The rest of the youths should be absorbed in other productive and gainful employments.

In the course of this book, we have, again and again, stressed the extreme importance of land as the static cornerstone of all economic activities. It is the foundation on which all the intricate, mighty, and far-flung superstructure of modern economy is erected. In the words of Professor Arthur Lewis, if agriculture fails, industrialization cannot succeed.

Granting then that education and health are essential to a high standard of economic proficiency, why make them free? Why not leave it to the parents to educate and provide for the health of their own children? At the secondary and post-secondary levels, it is suggested, scholarships may be awarded to the more brilliant amongst those pupils and students who are unable to pay their fees; and, for the rest of this class, why should some form of loans not be sufficient?

As we have seen in Chapter 5, the rights to education and health are among the fundamental rights which each family regarded—and properly so—as inalienable, at the time when it voluntarily entered, or was compelled by conquest or subversion to enter into a political association with other families. It is now too late in the day to take these rights away. All the attempts in history to deny or suppress these rights have been among the chief contributing causes of the worst forms of social instability. Many of the developed countries of the world have now recognized the dangers attendant on the denial or suppression of these rights, and have, accordingly, conceded them to their respective peoples. For some years now, it has been Britain's national education policy 'that no able boy or girl shall be prevented by lack of means from taking advanced courses at a university or elsewhere'. In pursuance of this policy, over 90% of university students in Great Britain are aided from public or private funds. The same policy applies to post-secondary

institutions below university level. While primary education is free and compulsory and books and school equipment are also free at this level, secondary education is practically free, in Britain.

If all families were equally well off, the most sensible thing to do would indeed be to leave each of them to educate and cater to the health requirements of its members, as much as it desired. But we know that this is not the case, and that only the few well-to-do families are able to pay the high fees demanded at educational institutions, especially at the secondary and post-secondary levels. In such circumstances as this, it is indubitable that many a potentially outstanding talent would remain for ever buried, simply because he has been accidentally brought to this world by poor parents, while at the same time, a good deal of resources would be wasted on palpably mediocre elements, simply because their parents are rich enough to afford the alchemist's costly but fruitless venture of trying to transmute lead into gold.

On purely humanitarian grounds, it is cruel; and from the economic stand-point, it is inconsiderate and thoughtless to saddle a young person, just entering into full productive life, with indebtedness. As compared with his contemporaries who are not so unfortunately circumstanced, his morale, and hence his efficiency, is bound to be seriously adversely affected, to the detriment of the country's total volume of output.

Some people have argued, with callous self-satisfaction, and in complete ignorance or disregard of the contribution of the individual to the total wealth of a society, that since it is the individual young person who benefits financially, by way of salary, from higher education, it is he who should be called upon to pay, not the Government. Micro-economically, this argument is valid; it is the young person who benefits personally and directly from the money invested in his higher education. But macro-economically, the society also benefits directly, and probably more than he does, from the higher productivity and output which investment in his higher education has made possible. It is a truism, which can bear repetition and emphasis, that the greater the efficiency of the individual, especially in the categories of high-level and intermediate-level manpower, the higher his productivity, and hence the larger the G.N.P. or what

is popularly called the 'national cake'. Any scheme, therefore, which is certain to lower efficiency is not at all in the country's interest, and should be rejected and scrapped.

Above all, the proposals for free education and health facilities are, as we have seen in Chapters 5 and 8, in strict accord with the basic understanding by which families are united in society, and with the principles of socialism.

Having, we hope, established the essentialness of free education and health facilities as a means to Nigerian economic freedom and prosperity, we now come to the issue of practicability. We will deal with this issue on the hypothesis that Nigeria remains a capitalist economy.

It must be confessed that many of those who readily admit the essentialness of free education and health facilities express serious doubt as to their practicability under a capitalist dispensation. Where, they ask, are we going to find the money to meet the costs? This is the big question, and we now proceed to answer it.

In 1965/66, the total number of students in our five universities was approximately 8,000. The total expenditure incurred by the universities in that year on these students was approximately £12m. The average cost per student was, therefore, approximately £1,500. The total fees paid by students in that year amounted to £1.1m, an average of about £138 per student. Out of this total of £1.1m., about £600,000 was paid by the Federal and Regional Governments in respect of Government scholarship holders, leaving a balance of £500,000 which was paid by parents, guardians, and private sponsors of scholarships. In other words, all that the universities demanded from private coffers in 1965/66 was approximately 4% of the total expenditure incurred by them in that year.

Comparable figures for 1967/68 are substantially different; and we think that, for reasons of fairness, they should be exhibited. The estimated cost of maintaining 6,837 students in that year at Ahmadu Bello, Ibadan, Lagos, and Ife, is £9.6m., an average of £1,500 per student. The total fees expected in the same year is estimated at £1.1m., an average of £172 per student. But the amounts undertaken to be paid by the Federal and Regional Governments on scholarships totalled £650,000, leaving a balance of £450,000 due and payable

from private sources. This amount is 4.7% of the total expenditure incurable in 1967/68 by the four Universities mentioned.

It is crystal clear, from these figures, that university education in Nigeria is already virtually free. And by refusing to make it actually free, we have been doing nothing more and nothing less than straining at the gnat and swallowing the camel. It is necessary to point out that, in this misguided refusal, the Federal and Regional Governments are doing themselves less than justice.

It has been argued that, if university education is free, many more students than usual will enrol in our universities, and the cost will thereby soar.

In our own judgment, and having regard to available statistics, probably a few more students would enrol; but certainly not many more. There is a limit to the number of secondary school leavers who have the innate capacity for doing a university course. For example, in Britain, where university education is free, only 8% of secondary school-leavers are capable of doing or pursuing university courses, and are, therefore, admitted into British universities. In Nigeria, the percentage is as high as 28. What this figure appears to indicate is not that Nigerian secondary school leavers are of higher calibre than their British counterparts, but that, here in Nigeria, we have gone to the very bottom of the barrel, either because the standard for admission to our universities has been lowered; or because we have treated as university courses subjects which do not qualify for such elevation; or—and this is more likely to be the case—since attendance at post-primary and post-secondary institutions means, in our peculiar circumstances, the survival of the fittest, because practically all the very best among our students have already fought their way through secondary schools to the universities by all manner of legitimate means, including borrowing, working hard to save money for this purpose, and organizing the extended family to share the inevitable burden.

It is also argued that if education were free at all levels, the expenses would be absolutely insupportable. Those who urge this view are doing so in complete ignorance of the facts, or have given little or no thought to the matter.

The decision to introduce free primary and post-primary educa-

tion will not immediately increase school and university populations phenomenally. The introduction of a scheme such as this, from our experience, requires a good deal of careful planning and preparation. In order to have the required number of graduate and non-graduate trained teachers, about five years will elapse between the time when a decision is taken to introduce the scheme and the actual launching of the scheme. If the scheme is introduced before the graduate and non-graduate trained teachers are ready, it will be a failure or only a qualified and unsatisfying success.

Furthermore, it will be at least *six* years after the launching of the scheme before there is a large influx into our secondary schools, reaching its peak about *eleven* years from the time of launching. The first real influx into our universities, and the peak at this level, will not come until *thirteen* years and *sixteen* years, respectively, from the launching year.

The point is not at all overlooked that under our Constitution, primary and post-primary education is a residual subject, and that university education is a concurrent subject. This being so, the question then arises as to whether each State can embark on a free primary and secondary education. Our own categorical answer is in the affirmative. In substantiation of this answer, we would make use of the Western State as an illustration. In this State, free primary education is now in operation and has been so since 1955. Recently we have given a good deal of thought to the problem of introducing free education at the post-primary and post-secondary levels, in this State. Our findings are that the Western State Government will have to incur an additional expenditure of £5.2m. in order to make education free at all levels. Where is this money going to be found?

At the moment about 55% of the taxable male population, that is 1.2 million people, are evading tax in the Western State. We hasten to remark that this is a legacy of the sickening and sordid politics of the past few years. Women pay no flat rate tax at all, even though many of them are more well off than most males. By a more effective tax collection organization than at present, therefore; on the supposition that the population of the State is 8 millions not 9 millions; and at a flat rate of £3 per head of male taxpayers, at least £3.6m.

more would be brought into the revenue of the Western State. In addition, a special education and health levy at an average rate of £2 per head can be imposed, but so that those in the flat-rate brackets do not pay more than 10/- per head. This will increase the revenue by another £4.4m. Thus a total of £8m. can be brought to revenue without any undue protest, if the purpose is to make education free at all levels and health facilities free to all. This amount can be further increased by about £1m. at least, if all the fringe benefits now enjoyed by Government functionaries in the State are abolished. It is clear, therefore, that the money is there; it is the exercises for extracting it that are lacking. And they are lacking because the majority of those who govern the State do not appear to be alive, and willing to dedicate themselves, to the rigorous planning, hard work, and the personal self-sacrifice which such exercises demand.

What we have said about the Western State Government applies with greater force to the other Governments in the Federation, including the Federal Government. In this connection, it is pertinent to point out that it was possible for all the Governments of the Federation to save as much as £5m. on fringe benefits and other wastes alone, and to raise as much as £310m. in revenue, that is 25% of Nigeria's G.N.P., in the financial year of 1967/68. But as it was, they all raised among them an aggregate total of £190m., leaving a gap of £120m. It is abundantly clear from what we have said, therefore, that if our Governments and our leaders are sufficiently enlightened, and are sagacious enough to embark on all these exercises, our revenues will be enlarged, and it will be possible for us to introduce free education at all levels in all parts of the Federation, without tears. The present persistent complaint, which is echoed with unsolicited gusto by our foreign friends and economic overlords, that expenditure on education and health is eating too much into our revenue, will become utterly irrelevant.

With regard to university education, officials of the Federal Ministry of Education have recently done a projection up to the year 1971/72. According to them, the student population of our universities, in that year, will be about 20,000. In this connection, two important preliminary observations are called for. Firstly, whilst university expenditure will increase, fees charged to students

will not necessarily increase *pari passu*. It would be a retrograde step, and indeed suicidal, for any Government in Nigeria to attempt to raise university fees proportionately to the increase in university expenditure. Secondly, as the number of students increases, other things being equal, the cost per student may decrease. But whether this is so or not will depend wholly on the other factors. If it is necessary, as it is more likely to be the case in this age, to step up the standard of, and the quality of aids to instruction in our Universities, the cost per student may increase rather than decrease. It is apposite here to recall that Britain now spends as much as £30,000 to produce a single scientist, and this staggering amount is considered by the Jones Committee on Britain's 'brain drain' to be inadequate.

Granting, therefore, that we continue to spend as much as £1,500 per student in our Universities, the cost of university education by 1971/72 would be approximately £30m. This is what is going to happen in 1971/72, whether university education is free or not. It follows, therefore, that our Governments must be prepared either to (1) find this amount of money, (2) close down some of the Universities, (3) peg the number of students to be admitted to an arbitrary figure, or (4) raise university fees by about 300%.

Again, we take it that no Governments in Nigeria will contemplate any of the last three alternatives. On the contrary, it is safe to assume that everything will be done to find the expenditure involved. This, we believe, as we have already shown, can be done without undue hardship.

Now if, as at present, only 4.7% or 5% of total expenditure is collected as fees from private sources, then only £1.5m. will be received. If our Governments refused to bear this burden, as many as 2,000-4,000 potential high-level manpower talents would be wasted, as a result of their inability to pay their fees. In the face of the inevitable expenditure figures for our Universities, it would be patently senseless and criminal to allow this to happen. If we could swallow the camel of £30m., we should, gracefully, responsibly, and honourably, refrain from straining at the gnat of £1.5m.

With regard to health, the insistence of the various Governments of Nigeria on the collection of fees from patients is blatantly

ridiculous. In 1967/68, the Federal Government spent £6.7m. on health, and collected £95,000 from patients. In the same fiscal year, the Western Region spent £1.9m., treated children up to the age of eighteen free into the bargain, and collected £160,000 from patients. For the same period the Northern Region also spent £4.6m. and collected £44,200, whilst the Mid-West spent £1m. and collected £45,000. In 1965/66 the Eastern Region spent £2.7m. and collected £226,000.

The aggregate total spent on health in the periods in question by all the Governments of the Federation is £16.9m., as against collected fees of £570,200. What a molehill of revenue against a mountain of expenditure!

It is unreasonable to suggest that if health facilities were declared free, many more people would be likely to take advantage of the facilities, and the costs to Governments would be substantially increased immediately. We don't think this would be the case. Fear, superstition, strong belief in black magic, and supreme faith in the native medicine-man are formidable obstacles which will continue for some years to keep the majority of our peoples back from modern medicine and health facilities. In this connection it is highly probable that there are qualified medical practitioners who have greater faith in juju-men and medicine-men than in their own scientific acquirements, and regularly consult these men in the course of their professional activities. Making health facilities free, therefore, will not necessarily increase the number of patients. Besides, if the emphasis were placed on preventive medicine, on the promotion of environmental hygiene and sanitation, and on the need for better food, less money would be spent in the process of these preventive projects and campaigns, and many fewer people would show up for treatment at the hospitals.

In all this discussion about free education and health facilities, we have only dealt with the recurrent expenditures. We have so far said nothing about the capital expenditures that would be incurred. In view of what we have just said, there is not likely to be a sudden need to build many more hospitals, health centres, dispensaries, and maternity centres. Even if these were necessary, the enthusiasm and burning desire of the people for these amenities should be

harnessed in providing them. In rural areas where these amenities are more inadequate, land and community labour will be provided and given free in the erection of the required buildings. If, in addition, as we insist should be the case, we avoid costly prestige structures, and confine ourselves to the erection of cheap temporary buildings which will last for say 30 to 40 years, we should have little or no headache at all in this regard.

What we say here about buildings for health facilities, applies with equal force to buildings for educational facilities at all levels. Not all the structures for our primary, post-primary, and post-secondary institutions need be permanent. What is important is that buildings should have sound foundations to damp-proof-course level, be safe for human habitation, and be decent. Our immediate and pressing obligations in these matters are for the present generation. It is their duty to provide for those coming after them, in the light of their prevailing circumstances. In any case, most of the permanent buildings in our secondary schools, and most of our permanent hospitals and health centres would become slums and be demolished in 40 years' time or so. Since we cannot afford, and it is at any rate extreme folly for us, to embark on permanent prestige buildings that will last for centuries, we should content ourselves with building for, say, 30 years at a time. In this way, our present slender resources, bolstered by community efforts, will go much further than would otherwise have been the case. Lest we are accused of being impractical, we would like to say that this was precisely the policy pursued, in regard to primary school buildings in the Western Region, when it was decided to introduce free primary education in 1955.

In the urban areas, the problem is different. But it can be solved as it was in the Western Region. There are many existing Government buildings which can be converted into primary and secondary schools, and which are now being occupied more or less free, and unjustly so, by Government functionaries. Furthermore, the money for acquiring land and paying contractors to erect temporary buildings can be found. All we need to do is to attach top priorities to buildings for education and health instead of to buildings required for the housing of Government functionaries. Every year, the

Governments of the Federation spend millions of pounds on building inessential houses and offices. They will need much less for capital expenditure on education and health facilities in one year, if the policy is to erect temporary structures.

There is an old saying which is as true as ever in the context of this discussion. 'Where there is a will, there is a way.' If we have the will, and the iron resolve to embark on free education and health facilities for our people, the way to their successful accomplishment will open. The present civil war is an apt case in point. It may sound incredible, but it is true, that for the nine months of 1 September 1967 to 31 May, 1968, the Federal Government had spent on the civil war, in local currency alone, an aggregate total of £48m., an average of £138,300 per day. When it is remembered that the total revenue available to the Federal Government, for the whole fiscal year of 1967/68, for spending on its own services, is £93m., it can be seen quite vividly what the will of man can achieve when it is focussed on a problem.

It is our conviction, which we believe will be shared by most Nigerians, that ignorance and disease are deadlier enemies than the rebellion which has demanded and is still demanding so much sacrifice from us in money, property, and lives. The war against ignorance and disease must, therefore, be waged with at least the same grim determination and resolve. In this creative, life-saving, and nation-building war, the cost in money will be much less; the only casualties will be ignorance, disease, and poverty; and the victorious survivors will be a united Nigerian community which is economically free, and which is prosperous and happy.

It will be seen from the foregoing exposition, that the case for the practicability of free education at all levels and free health facilities for all, even under our present capitalist and subservient economy, is conclusively established. If these schemes are essential and practicable under the capitalist system, *a fortiori* they are more so under the socialist system.

For the avoidance of doubt, we would like to emphasize that when education becomes free at all levels, it is imperative that the courses of instruction should be such as would help effectively and efficiently to promote and achieve the country's social objectives. Otherwise

square pegs would be produced for round holes, and the country's resources would remain as under-utilized and mis-utilized as ever.

We now proceed to show how the social objectives which we have stated at the beginning of this chapter can be achieved.

In Nigeria's efforts to attain to these objectives, one of two paths are open to it: the capitalist or the socialist system. To an under-developed country like Nigeria, groping its way to economic freedom and prosperity, the capitalist system is very tempting. Its achievements are not merely a matter of theoretical exposition, or of the recorded history of a distant past; they can be seen everywhere around us, particularly on the continent of Europe, and in North America and Australasia. Besides, the cardinal virtue of the capitalist system, which is naked self-interest or greed, otherwise known as private enterprise, has special appeal to every man and woman. Until he or she has been completely seared, and rendered prostrate and helpless by the evil forces of the system, everybody believes that the capitalist system is the best, and specially designed for his or her personal economic advancement and aggrandizement. We have in two previous chapters almost exhaustively examined the capitalist system; and our considered verdict is that in the long run it is doomed to extinction, and that, as long as it lasts, it is bound to generate secular social injustice and disequilibrium, and persistently widen the gap between the rich and the poor, in the society in which it operates.

On the other hand, because of the attributes of the socialist system which we have abundantly indicated, it is clear that this system is undoubtedly superior to the capitalist system. To be sure, socialism, as a practical economic way of life, is only fifty years old. Even so, by the achievements of the U.S.S.R., Eastern European countries, and People's China, it has shown its superiority as a more dependable and surer means of securing material wellbeing and social justice for all and sundry, than capitalism in all its more than two centuries of existence.

If, therefore, the aim of Nigeria is the attainment of economic freedom and prosperity for all its citizens, at a comparatively early date, then there is only one choice open to it. *It must, forthwith, adopt the socialist approach to all its social problems.* In this connection, it

must be emphasized that social justice, which is the sum and substance of the social objectives adumbrated by us at the beginning of this chapter, is only attainable in a social order in which the welfare of one is the concern of all, and vice versa. The name of this social order is socialism; that is, socialism as we have amply defined and described it.

In order, however, to tread the socialist path, assuredly and successfully, three things must be done simultaneously. The first is the vesting in the Nigerian Governments, subject only to the dictates of prudence, efficiency, and pragmatism, of all the means of production, exchange, and distribution. This is necessary in order to bring about the effective co-ordination of all economic activities, and to effect the direct control, by the Governments, of the forces of supply and demand and of the margin, with a view to taming, humanizing, and canalizing them for the good of Nigerians in general. The second is that there must be a thoroughly efficient and effective organization of all economic activities to ensure that the country produces enough: (1) for consumption compatible with a decent standard of living; and (2) for a rapid growth of capital formation. The third is the regulation of production and consumption by legislative acts. This is necessary in order to ensure: (1) that production or utilization of resources is directed towards essential ends; (2) that the country is self-reliant and self-sufficient in the short run in consumer goods, and in the long run in capital goods as well; (3) that, from year to year, whatever happens, the country consumes so much less—but without danger to good health and efficiency—as to bring about a rapid growth of capital formation; and (4) that the country exports enough not only to pay for the imports of capital goods and other absolutely essential items of consumer goods, but also to enable it to contribute to the enlargement of world trade and prosperity as well as benefit from international division of labour.

To these ends, certain *modi operandi* commend themselves.

First, the Constitution of Nigeria must declare the country a socialist republic. This is to say, in effect, that those Nigerians who believe in socialism must from now on bend all their energies and employ all the resources of their minds to and for the achievement of this indispensable and momentous declaration.

Secondly, it must be realized that Nigeria cannot become fully socialist, in one fell swoop, without chaotic social upheaval. In our considered opinion, the country needs about five years to launch and place itself into full socialist orbit. That much time is required for ideological adaptation and orientation, mental weeding, and moral disinfection and disinfestation, in all the sectors of our society. Indeed, that much time is required to embark upon and accomplish an intensive programme for the production of a highly qualified cadre of professionals, managers, technologists, and administrators. We should not be taken as suggesting that nothing should be done during the five-year period to vest the means of production in the Governments. On the contrary, there should be a progressive taking over by the Governments. The programme for taking over should be meticulously phased. The more sensitive and strategic sectors of the economy should immediately be vested in the Governments, while the rest should be completely taken over by the end of the five-year period.

Thirdly, it must be constantly borne in mind that two of the attributes which so sharply and boldly distinguish socialism from capitalism are—planning and discipline. Without planning and discipline, socialism has no chance of success. The co-ordination and harmonization of all economic activities relating to consumption, production, exchange, and distribution call for the most expert and detailed perspective and short-term planning that Nigerians can muster through the discipline of body and mind. It is imperative, therefore, that Nigeria possess a hard core of Nigerian leaders and experts with unflagging socialist orientation who will dedicate themselves to the great objective of making socialism work successfully in Nigeria. While some foreign experts may be required in the early stages to assist Nigerian leaders and experts in making and executing the necessary plans, it would be most unwise for Nigeria, and for any socialist-inclined country for that matter, to rely almost wholly or even heavily on foreign guidance. Such undue dependence on foreign guidance can only lead to ideological enslavement which, in our candid view, can be worse than economic subservience under the capitalist system.

External Relations

SINCE THE emergence of *homo sapiens* on this planet, he has never been at peace with himself or his neighbours. In the beginning, he waged his war with flint; then with bow and arrow; and recently with the atom bomb. He now threatens to employ weapons of indescribable destructive power such as the hydrogen bomb.

All the ingredients of, and motivations for, man's incessant and internecine rivalries—greed, self-interest, abuse and misuse of power, enthroning of might over right—are as present today as ever before.

There are two Chinas and two Koreas; and Vietnam is in the violent process of being permanently split into two. At the base of these unjustifiable divisions lie the naked self-interest, greed, and national aggrandizement of the U.S.A. In the Middle East, 60 million Arabs have vowed to destroy the State of Israel, and drive away or wipe out the 2 million-odd Jews who constitute that State. Understandably, Britain, the U.S.A., and France uphold the cause of Israel. Also understandably, the U.S.S.R. and East European countries give full support to the Arab countries. We say understandably, because it is the undisguised policies of Britain, U.S.A., U.S.S.R. and other big powers to divide the world into economic and ideological spheres of influence, in pursuance of their national self-interests and aggrandizement, and of the mutual hatred and hostility which exist between the so-called Western and Eastern *blocs*. There is, otherwise, no rational basis for the capitalist Western *bloc* to give succour to socialist Israel, or for the socialist Eastern *bloc* to come to the aid of the Arabs who have always either killed, or kept firmly in detention, every known communist in their midst.

Africa continues, as hitherto, to be the butt of all manner of inhuman treatment and degradation. To the Whites in South

Africa and Rhodesia, Africans are nothing but anthropoid apes, as Hitler contemptuously termed them. The White settlers in South Africa and Rhodesia have forcibly expropriated the aboriginal Africans of all the larger and richer portions of their lands, and relegated them to the position of hewers of wood and drawers of water.

In the U.S.A., the Negro Americans suffer grave social disabilities, so much so that there are now clear signs that the recent violent riotings by the Negroes may degenerate into civil war between White and Black Americans. The latent colour prejudice which has always existed in Britain, but which has hitherto been cleverly suppressed, is now bubbling to the surface; and there is a real danger of racial violence rearing its head soon in Britain.

In the pursuit of their naked self-interests, the developed countries of the world continue to exploit and cheat the underdeveloped countries by means of every contrivance and artifice which man's ingenuity can invent with the result that the gap between the one and the other widens with the years: the rich getting richer, and the poor getting relatively poorer.

To cap it all, the great powers of the world have grouped themselves into two mutually antagonistic ideological camps, and seek feverishly and frantically to entice the weaker and underdeveloped countries into their respective spheres of influence. To this end, aids are proffered in kind and cash to the poorer countries. But the prospective donors always make sure that each aid or loan carries with it a host of humiliating strings and conditions which tend materially to help the donor countries more than the poorer countries, undermine the strength and vitality of the recipient countries, and ensure their permanent dependence on the donor countries.

In spite of this, it is incumbent on Nigeria, like all other countries, to discharge a three-fold obligation. Firstly, it has the primary obligation of catering to and promoting the welfare of its peoples to the end that they may live a full and happy life. As we have repeatedly noted, one of the purposes for which a State is ordained is the protection of its citizens against external aggression. In order to achieve this purpose, Nigeria must, by skilful and clean diplomacy and constructive propaganda, bring about a state of peaceful co-existence

between it and its neighbours; it must foster mutually beneficial commerce with its neighbours so that it and they may derive obvious advantages from inter-territorial division of labour; it must put itself, to the knowledge of its neighbours, in such a state of military strength and preparedness as to discourage external aggression, or successfully resist such aggression if it comes.

It is an accepted diplomatic practice, of the Machiavellian type, for one country to foment troubles in another country with a view to thwarting the evil intentions and designs of the latter country against the former. It is also an accepted practice for one country to try to subjugate another by subversion. These are practices which are indulged in by all the big powers through various secret, powerful, and thoroughly ruthless and satanic organizations. It is our candid view that no obligation is placed on any country to do evil against another country, or to subvert its neighbours under any pretext whatsoever. A cardinal principle of world order must be that the sovereignty and integrity of every State are sacrosanct. Accordingly, Nigeria should eschew these diabolical methods, and confine itself to the constructive and practical means of achieving peaceful co-existence with its neighbours, including a defensive military build-up which is capable of deterring any aggressor, at its own level. We have used the phrase 'at its own level', advisedly. In our view, Nigeria can only place itself in such a position of military strength as would deter any of its underdeveloped neighbours from contemplating, much less committing, aggression against it. It certainly cannot and should not aspire to acquire military resources large and potentially effective enough to deter any of the big powers from committing aggression against it. It is our firm belief, based on the sound principles of dialectic, that if Nigeria is economically free and strong and socially stable, and plays a constructive, consistent, and peace-promoting role in world affairs, the big powers as well as Nigeria's immediate neighbours will refrain from entertaining aggressive intentions towards it, and will positively seek to live in peace with it. But if, in spite of such a role, any of the so-called big powers chose, for any reason, to commit aggression against it, the only course of action open to it would be to give a good account of itself in the battlefield, and at the same time invoke

the combined assistance of the other members of the United Nations Organization, in repelling such aggression.

Secondly, Nigeria owes an obligation to Africa to help in securing for all the African States political and economic freedom, justice, dignity, and equality of treatment in the comity of nations.

In discharging this obligation three considerations are worth bearing in mind.

ONE: Today, Africa is a continent of competing Beggar-States. They vie with one another for favours from the developed countries, especially their former colonial masters. They deliberately fall over one another to invite neo-colonialists to come to their respective territories to preside over their economic programmes, and exploit their resources. In short, they are politically independent and sovereign, but are economically subservient; and the big powers are leaving no stone unturned to keep them so.

TWO: In spite of the O.A.U.'s declared policy to eradicate from Africa all forms of colonialism, the Whites in South Africa and Rhodesia are determined to continue to treat Africans as sub-humans, whilst Portugal is unwilling to let the peoples of Angola and Mozambique go.

THREE: Most African leaders appear to lack the vision, sense of mission, and mental magnitude essential to enhance the status of the States under their charge to the level of self-respecting and respectable economic entity.

It will be seen, therefore, that Africa suffers from three grave disabilities: inhuman degradation, lack of sufficiently dedicated leadership, and economic subservience.

By Article II of its Charter, and by the terms of some of its declarations, the O.A.U. is committed to the following policies:

- (i) the unity of all the peoples of Africa;
- (ii) the eradication of all forms of colonialism from Africa;
- (iii) the intensification of economic co-operation designed to achieve a better life for the peoples of Africa; and
- (iv) the formulation of proposals for harnessing the natural and human resources of the continent for the total advancement, welfare, and well-being of all the peoples of Africa.

The economic and eventual political unity of Africa is an ideal which is not only worth working for, but also one which can be realized. The present developments in the world confirm the well-known theory that, other things being equal, the larger the population and the more expansive the territory of a State or economic entity, the greater the chances of its effective and more rapid economic progress. Africa with a population of 200 millions and an area of $11\frac{1}{2}$ million square miles (the Sahara Desert covers $3\frac{1}{2}$ million of the area), if united, would compare more than favourably with (1) Russia: population – 200 millions, area – 8,598,678 square miles; (2) China: population – 650 millions, area – 3,876,956 square miles; (3) U.S.A.: population – 160 millions, area – 2,974,725 square miles; and (4) India: population – 450 millions, area – 1,709,500 square miles.

But the problem of uniting, under one Government and under one leadership, a continent which lacks the racial, cultural, and linguistic homogeneity of U.S.A., the centuries-old cultural and political unity of China and (to a great extent) of India, and the ideological cohesion of Russia must not be underestimated. The distinguishing factors which we have just mentioned are complicated by the fact that Africa has peculiar internal stresses and strains, divisions and conflicts, inherent in its political, economic, and cultural evolution.

Nevertheless, the economic unity of Africa is an attainable goal and should be pursued relentlessly. This is the greatest obligation which Nigeria owes to Africa: to work for the quick advent of its unity and thereby hasten the attainment of economic freedom and material prosperity for all the peoples of the continent. In this connection, the recent emergence of regional economic groupings such as the East African Common Market, the West African Common Market, etc., is a healthy and commendable evolution. It should be encouraged. But these groupings should be regarded as no more and no less than steps in the right direction. For one thing, in scale and potential, they are incapable of meeting the challenge of the gargantuan economic groupings which are now taking place in Europe and the Americas. For another, there is the danger that these regional African groupings might engage in destructive com-

petition among themselves, unless their activities are co-ordinated and canalized at an Africa-wide level.

It is acknowledged that international organizations like the E.C.A. have done a tremendous amount of work in studying the economic and social problems of Africa, and in formulating solutions for them. It is also acknowledged that African States have participated actively in the work of these international organizations and have derived some benefits from their activities. But it must be admitted that these international organizations are far from being adequate; nor are they compatible with the intense desire of African States for economic self-determination and independence. Africa's attitude to these international organizations should be to regard them not as the Alpha and Omega of its economic salvation, but as trail blazers for its own permanent, all-embracing economic community.

We have deliberately stressed the economic aspects of the O.A.U. declaration of policy, because we regard economic freedom and prosperity as the be-all and end-all of Africa's salvation. As long as Africa or most of its States remain underdeveloped and economically subservient, so long will poverty, ignorance, and disease persist in the continent, together with their concomitants of colonialism, neo-colonialism, Ian-Smithism, Vorsterism, and Salazarism.

Thirdly, Nigeria owes it as an obligation to its peoples in particular, and mankind in general, to promote the peace, progress, and prosperity of the world and its entire multitudes and diversities of races. The fundamental principle which must be borne strictly and constantly in mind, in this connection, is that all the good or evil things of this world are indivisible; and more so now that the world is much smaller than it used to be, and all countries are now, so to say, one another's next-door neighbours.

But the world in which we live is so crazy, and its affairs are so chaotic, that the temptation is very strong for any underdeveloped country, like Nigeria, to want to throw in the towel and let the forces of unreason and madness take their courses. For the reason which we have just stated, that is of the indivisibility of all the good or evil things of this world, this temptation must be resisted at all cost.

The question which then arises is this: what *modus operandi*

should Nigeria adopt in order to discharge effectively its three obligations which, as we have seen, do not always harmonize, because of the conflicting and divergent self-interests of all the countries that compose the world?

First of all, Nigeria must recognize the difference between foreign policy and foreign affairs. It must then proceed, most carefully, to formulate and declare for itself an abiding foreign policy, which will remain immutable through all the buffetings and vicissitudes of international conflicts and collisions.

There is, in our considered view, a good deal of difference between the declaration of external policy, and the conduct of external affairs. The one is strategy, and the other is tactics. When a ship puts to sea, and is destined for a particular harbour, it can be said that its policy is to sail to that harbour, come what may. Whether it pursues one of a number of alternative routes which lead to the specified harbour; and what manœuvrings, detours, and digressions it makes in the course of the journey; all these depend on the daily circumstances of the voyage, including the state of the weather and of the sea. But since the choice of harbour must be necessitated by the need to satisfy the customers, it is not open to the shipowners, arbitrarily, to choose and vary the ship's destination, as their own pleasures and fancies dictate.

As with the shipowners in our analogy, so with a State; and so with Nigeria. Nigerian leaders cannot and should not be permitted to determine and vary the country's policy—external or domestic—without strict regard to the welfare and happiness of the Nigerian peoples.

In the last four chapters, we have dealt fully with the political, economic, and social policies which Nigeria must follow, if it would promote the welfare of its peoples and make them live a full and happy life. Granting that it is blessed with the right type of leadership to adopt these policies, then its external policy must be guided by the latter. In such circumstances, Nigeria must espouse abroad the course which it pursues at home, without necessarily seeking to impose its views on other countries which have divergent domestic policies. For instance, it cannot afford to be socialist at home and capitalist abroad; it cannot afford to observe democracy and indi-

vidual freedom at home and condone oppression and tyranny abroad; indeed, it cannot afford to enforce unity at home, and instigate disintegration or subvert unity abroad. And so on, and so forth. It must be borne in mind that to practise one thing at home, and advocate or do the opposite abroad is evidence of lack of direction, and of abiding faith in any fundamental policy. A man cannot hold contradictory views or pursue contradictory courses of action at the same time, unless he is a downright scum or a bare-faced hypocrite or both.

Granting, therefore, its adoption of the blue-print outlined in the last four chapters, and its adherence to the basic principles expounded in Part II of this book, the external policy of Nigeria may be expressed in more concrete and detailed terms as follows:

- (1) The active promotion of international understanding, and of the universal brotherhood of man.
- (2) The constructive and peaceful encouragement of the spread of socialism to all parts of the world, as the only economic and social concept which can eliminate greed and self-interest, and foster mutual love and altruism among all mankind.
- (3) Active and enlightened co-operation with the other countries of the world, in so far as they genuinely believe in and respect the ideals for which Nigeria stands.
- (4) Respect for the independence, sovereignty, and integrity of all States, and non-interference in their domestic affairs.
- (5) Settlement of international disputes by peaceful negotiation either by the direct mediation of one or more countries invited for that purpose at the instance of the disputing States, or through the agency of the U.N.O.
- (6) Non-involvement (i) in military pacts or acts of aggression; or (ii) in any treaty designed against the interest of any other country.
- (7) The promotion of free and mutually beneficial economic intercourse and cultural and scientific exchange among all the nations of the world.

- (8) The solemn observance of the principles and objectives enshrined in the Charter of the U.N.O. and of the O.A.U.; and
- (9) The extermination of apartheid, and the termination of the subjugation and inhuman treatment of Black peoples in Africa and elsewhere, and the mobilization for these purposes of the material, intellectual, and spiritual resources of all the States of Africa and their friends.

The tactics which will, from time to time, be adopted in achieving these objectives will depend on the prevailing circumstances, at any given time. The policy, however, must never be abandoned nor should anything be allowed to dim Nigeria's clear vision of it. In pursuing and prosecuting the country's declared policy, as set out in clearer detail above, compromises may be given and accepted. But the compromises must be such as do not in any way amount to the slightest derogation from, or even pretended abandonment of the country's declared policy. In this matter, to 'adapt a journalistic maxim, external policy must be regarded as sacred, whilst the conduct of external affairs is free within the bounds delimited by the country's avowed and stated policy.

It is fashionable these days for all underdeveloped countries including Nigeria to describe their foreign policy as 'non-alignment', and to pride themselves as belonging to a Third World *bloc*. This, in our view, is a sign of an inferiority complex, or of confused thinking, or both. The external policy which we outlined above certainly cannot bear the label of 'non-alignment'. If it is necessary that it must be christened, then its name would be WORLD SOCIALISM.

It is also fashionable these days for many underdeveloped countries to seek to get the best of two opposing worlds by exploiting the deep-seated prejudices and insensate rivalry existing between the two power *blocs*. They insincerely and cunningly profess friendship with one *bloc* in order to induce the other or both of them to give financial and/or technical aids. In our considered opinion, this is a most dishonourable mode of conducting a country's external affairs, and Nigeria should avoid it without reservation.

In this regard, we do fully realize that courage of conviction and for truth has been a very rare virtue, down the ages. Nevertheless,

it is well worth the while of Nigeria to bear in mind always that any country which, in international affairs, scorns to employ the arts of hypocrisy, and exhibits courage for truth at all times, will be confident in itself; will never be embarrassed; will reprove with freedom; will be uniformly successful in its endeavours; and the constancy of its virtue will crown it with trustworthiness, respect, and honour in the councils of the world.

APPENDIX

(to sub-paragraph (20), page 263.)

1. All the staff, connected either directly or indirectly with the conduct and supervision of elections and election arrangements, shall be appointed by the Electoral Commission without the interference, direct or indirect, of the Public Service Commission. It shall not be lawful for the Electoral Commission to delegate its powers in this regard.
2. Nomination of candidates shall be done by the submission, in writing, by the President or Secretary of the Party concerned, to the Electoral Commission, of the names, addresses, symbols, and other requisite information of his Party's candidates for the elections. The application shall be supported by a receipt or receipts for nomination fees paid by or on behalf of the candidates. The names of the candidates shall be published in the *Gazette* by the Electoral Commission, within a stipulated period of time. The nomination of every candidate shall be regarded as valid on the receipt by the Electoral Commission of the list supplied by the Party concerned in the manner aforesaid. Once nominated, it shall be unlawful for a candidate to withdraw his candidature.
3. All Political Parties shall be registered in the same way as a Trade Union Organization, and only a Party which is State-wide or country-wide, as the case may be, shall be allowed to contest an election. The test of State-wideness and country-wideness shall be the fielding by a Political Party of candidates for not less than threequarters of the constituencies at the Federal or State election, as the case may be.
4. Polling Agents (who may or may not be registered voters) shall be issued with identification cards supplied by the Electoral Commission. That is to say, on the receipt of nomination, the Electoral Commission shall direct that the appropriate Electoral Official shall supply each candidate with a sufficient number of identification cards for two polling agents per polling station. The candidate shall supply to the appropriate official the names of his polling agents not later than two hours before polling begins.
5. Symbols shall be printed on the ballot papers and there shall be only one ballot box for all candidates in each polling station. A voter shall, in secret, make a mark against the symbol of his choice, and then insert the ballot paper in the ballot box which must be within the view of the Presiding Officer and other polling officials, and the polling agents.
6. There shall not be more than 500 registered voters to a polling station.
7. Twenty-four hours before polling begins, all public meetings, use of loud-speakers, display of party symbols, and shouting of party slogans shall cease.

8. During the electioneering period, that is thirty days before polling day, it shall be unlawful to carry dangerous weapons at public meetings, to shout the slogans of a Party at a public meeting arranged by that Party's opponent, and for Party campaigners to shout vulgar abuses at a public meeting or in any place.
9. Polling shall, from its commencement, be continuous for ten hours.
10. Nomination fee shall be £25.
11. Instructions to election and polling officials or any other official connected directly or indirectly with the conduct and supervision of an election shall be laid, for at least three months before the election, on the tables of the Central and State Legislatures; otherwise they shall be of no effect.
12. Alternatively instructions to election and polling officials or any other persons connected directly or indirectly with the conduct and supervision of the election may take the form of Regulations which must be approved by Parliament.
13. At the close of polls, the Presiding Officer shall prepare a ballot paper account setting out details such as are contained in Section 34 (III) of Western Nigeria Electoral Law, and he shall give to the polling agents of each candidate a copy of the ballot paper account duly signed by him. After this shall have been done, the Presiding Officer shall then proceed to count the votes in the presence of the polling agents. The results shall be recorded on the prescribed certificate, a copy of which shall be signed and delivered by the Presiding Officer to the polling agent or agents of each of the candidates. The Presiding Officer shall thereafter proceed, without delay and in the company of the polling agents, to deliver the ballot papers, ballot paper account, and certificate of voting results, to the Returning Officer at his prescribed office.
14. All ballot papers shall be counted; but unmarked ballot papers shall be counted separately and the total of these shall be certified on a form, a copy of which shall be delivered to the candidate or his agent.
15. In addition to the provisions such as are contained in Section 46 (1) of the Western Nigeria Electoral Law, a Returning Officer shall deliver the aggregate certified election results, duly signed by him, to all the candidates in the constituency under his charge, standing at the election. The certificate thus issued shall be conclusive of the election until such election is set aside by a court of law on an election petition.
16. There shall be no option of fine under the electoral law for an electoral offence.
17. The first general elections in the Federation, before the end of the military regime, shall be conducted by an Electoral Commission whose Chairman shall be the Chairman of the Indian Electoral Commission, and whose members shall be recommended for appointment by the United Nations Organization.
18. The United Nations should also be invited to send various teams and observers from other countries of the world to observe the conduct of the elections. If necessary, in order to ensure complete freedom and fairness during the election, the Federal Military Government should invite the

United Nations to send sufficient troops in order to assist it to maintain law and order during the election.

19. It shall also be provided in the electoral law that candidates and their agents for the election shall not be placed under any disability during the period of election, that is to say, if any of them commits an offence he shall immediately be put on bail, pending the election.
20. The Electoral Commission shall have a branch of its office in the headquarters of each State. There shall be a number of forms, one of which shall be a receipt form for nomination fee.
21. Every candidate for election, whether or not he is opposed by any other candidate or candidates at such an election, shall be voted for, provided that where only one candidate stands, he shall poll not less than 40% of the total number of registered voters in his constituency.
22. At least forty-five days' notice shall be given before the day appointed for the holding of election; at least thirty days of this period of notice shall be earmarked for electioneering and the filing of nomination papers.
NOTE: This is to ensure that ample time is given to each Party to put its case to the electorate and comfortably complete nomination processes.
23. If there is reason to apprehend that a serious breach of the peace is likely to occur in any constituency or part of it, the holding of the election in such an area may be postponed by the Electoral Commission for not longer than two months.
24. Such provisions as are contained in Sections 11 (3); 12 (4); 14 (6); 16; 19 (1a), (1b), and (2); and 132 (6) of the Western Nigeria Parliamentary Electoral Regulations 1960 shall be forbidden by the Constitution.
25. The electoral law shall be a schedule to the Constitution; and its provisions shall be entrenched and amendable only by the people voting in a referendum.

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