

NIGERIA UNDER COLONIAL RULE

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Introduction

What we have today as Nigeria is a creation of the British Government which were driven by the desire to satisfy British Economic Interest at home. The colonization of foreign lands was as result of the contradictions of western capitalism which impeded the accumulation of capital. In other words, as a result of the contradiction, it became necessary to resort to imperialism, particularly the colonization of alien countries. This was in order to counteract the obstacle of capitalist accumulation arising from the internal contradiction of the capitalist mode of production. It is worthy of note that African colonization went hand in hand with capitalist penetration (Chigbo, 2001).

Colonization itself is a social system or relation at a particular stage in the development or under-development in many parts of Africa including Nigeria (Fanon, 1963). The British forcefully colonized the various ethnic linguistic people and later merged them into one political unit called Nigeria. Indeed, before this period, each of these various national peoples existed on their own and under different administrative, governmental, social and economic systems. And of course, each of these ethno-linguistic groups had and certainly still do

They have today its own peculiar ideology, custom, culture and value systems which were not only different, but also are mutually antagonistic with those of other groups in many respects. It was these various national people that the British colonized and brought together into one political unit called Nigeria.

Colonial Administration in Nigeria

British administration in Nigeria in the 20th century can best be understood in its political setting. From 1898, the British government sought to establish and maintain a colonial state in Nigeria (Tamuno, 1972). This long process involved a number of important measures, including the removal of all visible African opposition to the imposition, expansion and consolidation of British central authority over the territory later known as Nigeria. The British colonial rule began with piecemeal conquest of various parts of the country. Different parts of the country fell under colonial rule at different periods.

Organized cohesive colonial rule by the Britain in Nigeria began with the establishment of the Northern protectorate in 1900 and the protectorate and colony of Lagos in 1888. The latter two were merged in 1906 as the protectorate and colony of the southern Nigeria.

In 1910, a proposal was made to the British House of Commons by the Secretary of State for Colonies, Sir Lewis Harcourt to merge the Northern and Southern protectorates which were administered by Colonial Governors Frederick Lugard and Ralph Moore respectively. Ralph Moore was not favourably disposed to the merger because he resented evading the riches of the south for the development of the impoverished North (Ojiakor, 2001). His protest however failed to attract a positive consideration from his home country B

Britain, which agreed with Luggard's view on the amalgamation of the two protectorates (Okeke, 2011). On January 1, 1914, the two regions were amalgamated and christened Nigeria on the suggestion of Luggard's mistress and later wife, Lady Flora Shaw (Luggards). This was after such other suggested names like Goldesia, Niger, Sudan and Negrata had been rejected (Chukiole, 2007).

Lord Luggard was made the first Governor General of Nigeria. Under him were two Lieutenants governors for the Northern and Southern provinces and an administrator for Lagos. Lord Luggard was succeeded by Hugh Clifford, Benard Boundillion, Arthur Richard, John Mcpherson, and James Roberts in subsequent orders before Nigeria attained self-rule in 1960.

The Nature of Administration Following the Amalgamation of 1914

The amalgamation of 1914, resulted in the establishment of a single country – Nigeria and there existed four distinct units of administration. These were:

1. **United Nigeria:** There was the government for the whole and all parts of Nigeria. This comprised the office of the Governor-General which handled the administration of all common services, such as railways, mining, posts and telegraphs. This administration also made laws for all parts of the country.
2. **Northern Provinces:** After the amalgamation, the former Northern protectorate was divided into 6 (six) provinces, each of which was under a British official-residents, and all these residents are placed under a higher official – Higher Commissioner who was later renamed Lieutenant Governor. Generally, the offices of the Lieutenant Governor had secret

ariat with its departments and handled all functions of Government which were not the responsibility of the central Government. The office of the Lieutenant Governor could deal with the colonial offices in London but usually through the offices of the Governor in Lagos.

3. Southern Provinces: Like the Northern protectorate the Colony and Southern Protectorate were divided into nine (9) provinces and was placed under a secretariat divided into departments. It was with this Secretariat that the Lieutenant Governor carried out the work of government and administration in Southern provinces. Like its Northern counterpart, the office of the Lieutenant-Governor of the Southern Provinces also could deal with the colonial office in London only through the Governor in Lagos.

4. The Forth Unit was Lagos: Lagos was administered separately from the rest of the Southern Nigeria. It consisted the fourth unit of the amalgamated Nigeria. Its administration was quite distinct from that of any of the other three units and was placed in the hands of the administrator for Lagos. This situation remained so until the replacement of Lord Lugard by Sir Hugh Clifford as Governor and who also introduced a new constitution – embodying a number of changes.

The Reasons why Lagos got this Status

Lagos Colony was British colonial possession centered on the port of Lagos in what is now Southern Nigeria. In 1886, Lagos became a separate Colony from the rest of Southern Nigeria. In August 1861, a British naval force entered Lagos and annexed Lagos as a British Colony via the Lagos treaty of cession. King Dosumu's powers were significantly reduced and Consul Willia

ms McCoskry became acting Governor. As a Colony, Lagos was now protected and governed directly from Britain.

Again, Lagos was declared a Colony on 5th March, 1862. By 1872, Lagos was a cosmopolitan trading centre with a population over 60,000. In the aftermath of prolonged wars between the mainland Yoruba states, the Colony established a protectorate over most of the Yoruba land between 1890 and 1897.

Structure of British Government

In 1904, the two southern administrators were brought under the control of one Governor Sir Walter Egerton. In 1906, the colony of Lagos and the protectorate of Southern Nigeria came under a united colonial system. In the year 1914, the protectorate of Northern and Southern protectorates became amalgamated into a political unit called Nigeria with the capital in Lagos (Osugwu, 2014). Although, there was the amalgamation, there was no uniform political structure as different administrative systems were maintained.

The colony of Lagos maintained its unique legal system which continued to 1951. Despite the differences, the British colonial administrators successfully proposed the British imperial policies on the people within this geographical area. As Crowder (1976) argued, any country is, in a sense, an artificial creation. In the case of Nigeria, however, the union was so sudden, and included such widely differing groups of people, who had differences in their political, social, economic and administrative system but that they are mutually antagonist with each other in many respect.

Despite this differences in their ideology, it is important to state that this entity called Nigeria with thirty-six state structures now and the new capital te

territory in Abuja has remained one indivisible entity in diversity. Today, we talk about more than 250 different ethnic groups with their peculiar ideology but under one political unit – the Federation.

Constitutional Development in Nigeria

It is a well-known fact that there cannot be constitutional development without political activism which invariably leads to constitutional changes. Every living system is a changing system and all political systems are dynamic. Political systems entail the whole governmental machinery with diverse structures; the Legislatures, the Executive and the Judiciary (Okoho, 2009:158). Politics is, in the main governance and rulers enact laws and carry out constitutional amendments to suit the requirements of the people under a particular epoch. The changes that occur at each stage reflected the core task and character of the regime in power. The regime in power means the particular people that are in governance. When the people of a state are ruled by foreigners, we call the regime in power colonial government; where civilians rule as in a democracy, we call it a civilian regime; even when the armed forces rule, it is called military regime.

Decisions being enforced by any regime usually affect the people, and sometimes adversely. The people react by clamoring for changes that would better their living conditions. Based on the feedback to the system by the people, the system operators carry out Legislative, Executive and Judicial reforms to ameliorate the people's poor state of living. This is the case of Nigeria under colonial rule where policy of indirect rule, amalgamation of the Northern and Southern protectorates and other administrative systems were adopted without recourse to the differences that existed among the ethnic nationalist. This prompted the demand for the development and changes of c

onstitutions that guided the operations of the colonial masters by Nigerian s.

Some Constitutional Structures in the Lord Luggard Era

A constitution is a body of fundamental principles or established precedents according to which a state or other organization is acknowledged to be governed. A constitution is a set of fundamental rules that determine how a country or state is run. Almost all constitutions are 'codified', which simply means they are written down clearly in a specific document called a "Constitution".

Every constitution should identify the structure of government in a state. Even though, we do not credit Luggard with any concrete constitution for Nigeria, he created some structures which operated in the crown colony of Lagos. These included:

a. Legislative

It should be observed that before the amalgamation of Southern and Northern protectorate in 1914, there existed in Lagos a legislative council which made laws only for the crown colony of Lagos, when the amalgamation was concluded, the Legislative Council was changed to the Nigerian Council. Between 1900 and 1913, the Legislative Council of Lagos essentially served the colony.

The main functions of the colonial Legislative Council with an official majority were as follows:

- i. It served a useful purpose as a safety valve and gave an opportunity

y for the few persons in the colony, who really had views on public questions to air those views and to ventilate individual and other grievances.

- ii. It afforded the opportunity for unofficial members to give the government useful advice, how far the unofficials took advantage of the opportunity depended, of course largely on the caliber of the unofficial members, and therefore depended very largely on the colony. Unofficial member means a member other than official member. The terms "unofficial" (or "non-official") and "official" refers to whether the individual hold governmental office; both categories hold full membership of the council.
- iii. It afforded an opportunity for the government to deliver speeches on issues clear to the Governors, and to some extent necessary for a
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- iv. It could serve as some check on official extravagance.

Following the development in 1914, the legislative council had an official majority which did not make it attractive to the African community as a forum for an adequate and sympathetic consideration of its problems. Moreover, the basis of African representation there left much to be desired. Despite the African superiority in population, the African and European communities, each had two representatives between 1897 and 1900. From 1901 to 1905, there was one African and two European Unofficial members. Both communities had equal (3:3) representation between 1906 and 1913.

African confidence in their representatives was further shaken by the fact that the basis of selection was nomination and not election. Until 1913, the

European unofficial members of the legislative council represented commercial banking and shipping interest and the government gave considerable weight to the representative of property as against the claims of African who wanted greater representation of man on the basis of population and election.

The Unofficial majority in the legislative continued notwithstanding the grumbling of Nigerians even in the new Nigerian Council. The new Council was made up of officials who were all Europeans and six nominated Nigerians (three from the North and three from the South). It was to advise the governor-general. However, it had no powers and met only once a year and so had little or no legislative powers but only on an advisory capacity. The Nigeria council was made up of 36 members, constituting of the governor, members of the executive council, first class resident, political secretaries of Northern and Southern provinces as officials.

Joyce and Igweike (1982) opined that the powers of the legislative council were restricted to the colony. It was made up of the governor and thirty other nominated members. Of the nominated members, seventeen were ex-official while the rest were unofficial members. Seven of the thirteen unofficial members were nominated to represent commercial, shipping, mining, and banking interests. The remaining members, mostly chiefs represented as far as might be the native population both of the coast and the interior.

b. The Executive

Earlier 1914, the appointment of unofficial members to the executive council was dependent on the existence of suitable candidates for the position. T

This was particularly the case in the colonies where the issue did not begin to arouse public opinion until after the First World War. The Executive Council existed but the colonial office was unwilling to share decision making powers. The Executive Council was the policy making body particularly on bills for enactment even though they required the colonial offices sanction before becoming law. Its other major function was disciplinary, it could suspend or dismiss government officials and exercised the governor's power of pardon in cases of capital punishment. Although the council was executive in the sense that it advised the governor in the exercise of the governor's executive functions, the governor could dispense with this in emergencies, again subject to the colonial offices approval. With amalgamation, Lugard retained the existing executive council but the council became the executive council of the whole country. In practice, full powers were exercised by the Governor-General and the lieutenant governors. Lieutenant-governors were appointed for the North and South respectively and Lugard became the governor and commander-in-chief for the whole country.

Limitations of Lugard Constitution

If we accept Lugard's arrangement as the first attempt in giving Nigeria a constitution, we should then assess some of the drawbacks of that constitution. They include:

1. Apart from the choice of a single chief executive, the governor, for the whole country, there was in reality, no fusion of both administrations. The North and South maintained their separate policies and conceptions of colonial administration which they had evolved over the years.

2. Again, the executive power was concentrated solely in the governor who acted at his own discretion in the exercise of his powers. Both the executive and the legislative councils were composed predominantly of British officials who were appointed by the governor and responsible to him. The councils were not meant to involve Nigerians in the government of their country but to provide a forum to enable the British officials to obtain as much local advice and opinion as might be useful to them.
3. Moreso, the Council had neither force of law nor Executive power, and so it was merely an advisory body, whose advice could either be taken or dropped at the discretion of the governor who had a veto power. A veto is a legal power to unilaterally stop an official action in the most typical case, a President or Monarch vetoes a bill to stop it from becoming law. In many countries, veto powers are established in the country's constitution. The queen could even also reject a bill that had been passed by the governor. The council was not representative of the people and attendance to meetings was very poor and consequently official decisions were reached with ease and implemented unchallenged.

Assessment of Lugard's Era

Available literature indicated that Lugard was an autocratic leader, who never considered the interest of the people he governed. Proclamations and ordinances made by one man were very rampant during the period of his administration. He allowed the British officials to be despotic and authoritarian. Even some British officials condemned the grave despotism that existed at the time. For example, Mac-Gregor condemned "the arbitrary system whi

ch we have established in our crown colonies". He hated the colonial office's attempts to protect their governors at any cost, condemned the despotic one-man-power given to these governors, detested the combination of the militarism and despotic government as a source of wrong and robbery and advocated for the checking of the arrogance of the authorities in Southern Nigeria. Enlightened foreign rulers would be expected to consider not only interest of their home government, but also those of the people under their charge. That in turn would entail giving the people under their charge an adequate means of expressing their views. This was not so in the case of Lord Lugard, rather in 1903, he promulgated the newspaper ordinance as an attempt to checkmate frequent libels and so provide against any reckless statements and control to deal with blasphemous, seditious and other forms of libel. Mac-Gregor agreed but emphasized the dangers of press indiscretion.

Another proof of colonial high handedness under Lord Lugard was the promulgation of the seditious offences ordinance of 1909. The essence of this ordinance was that through it, Governor Egerton sought to control political unrest and protect the government officers generally from public criticisms. The newspaper ordinance made the newspaper business in Lagos more expensive and therefore checked the previous tendency towards the proliferation of newspapers.

Consequences of Lugard Constitution

The net effect of Lugard's arrangement was that it helped to increase the tempo of nationalism in Nigeria. As a matter of fact, the agitation for changes had started to gather momentum as a result of many factors. To start with, the few educated Nigerians at the time resented Lord Lugard's constitu

tional set-up as most unsatisfactory. As a result, they joined their counterparts from the other British colonies in West Africa namely, Gambia, Gold Coast (now Ghana) and Sierra-Leone in the formation of a political organization called the National Congress of British West Africa (NCBWA). It was under this platform that the educated Africans particularly Nigerians made their protest against the activities of the colonial masters and made their demand that brought about changes in the constitution which ushered in the 1922 constitution that was named after Hugh Clifford.

The Hugh Clifford Constitution of 1922 – 1945

In 1920, Sir Clifford succeeded Sir Lord Lugard as the new governor of Nigeria and as a result of combination of forces including the increased militancy in the demand for more democratization of colonial rule by the educated Africans as manifested in their demands following their conferences of Nigeria Council of British West Africa (NCBWA) held in Accra in 1920, the colonial office in London and the governor jointly produced and introduced a new constitution which was named after Clifford himself.

This constitution which came into force in 1923 established Executive and Legislative Council to assist the governor in his executive and legislative functions. The constitution especially introduced the electoral principle for the first time in Nigeria political history.

Provisions of the Clifford Constitution

1. The Executive Council

The executive council comprised of eleven European officials members between 1923-1943, of course all these European officials were the permanent members of the council and they were civil servants. Other officials could be invited from time to time by the governor to join the council, with the permission of the colonial office in London.

There were also some unofficial members, but on the whole until 1943, the executive council had no Nigeria member. It was only in 1943 that two unofficial African members of the legislative council were appointed into the executive council. As said earlier, the executive council acted merely on an advisory body to the governor, who could dispense with such advice if it appeared to the governor to be necessary for public order and good government.

2. The Legislative Council

The legislative council established by Clifford was a much larger body than the Nigerian council which it replaced. It was made up of 46 members on the whole. Out of this, 36 were Europeans while 10 were Africans and 4 out of this 10 members were elected to represent Lagos and Calabar in the proportion of 3 and 1 respectively. This is because Lagos was the centre where majority of the educated elites lived. The governor was authorized to nominate some unofficial members to represent mining, commercial, banking and shipping interest as well as other parts of the colony and Southern provinces were not represented by elected members. The Northern provinces were not represented in this council. Thus, laws for the North were still made through the governor's proclamation. It must be stated that the governor was the chairman of these councils, i.e. the executive and legislative councils.

Some of the Problems of Clifford Constitution

1. The constitution did not take any step to consolidate the unity of the country for although, it created a much enlarged legislative, the different parts of the country were not represented.
2. Although, it introduced elective principle, the number of elective seats were too few.
3. Besides, its qualification for election based on annual salary of 100,000 pounds was too high.
4. Finally, although the constitution created legislative council, these council or body were simply ineffective as they neither had executive nor legislative powers because the governor was not bound to accept the advice given to him by them.

Governor Clifford, was however succeeded by Sir Donald Cameron who himself was succeeded by Bourdillon. Apart from the area of local government administration, these two governor's tenure were uneventful in terms of further political constitutional development in the country. This later made moves aimed at constitutional changes before he was succeeded by Sir Author Richard.

Sir Author Richard (Later Lord Milvelton) Constitution

Sir Richard's constitution embodies most of ideas of Sir Bernard Boundllon. Indeed, the constitution was more of the ideas of Boundllon than those of Richard himself.

At the beginning of the 2nd World-War, Bourdillon issued a memorandum on the future political development of Nigeria in which he made a number of s

uggestions which include:

- a. That there should be increased employment of Nigerians into the senior positions of the civil service. Of course, he wanted to do this but he could not because of the dearth of suitably qualified Nigerians.
- b. That increased recognition be given to the Nigerian unofficial members of the central legislative.
- c. That increased responsibility be given to the Nigerian native authorities.
- d. That the unofficial indigenous members of the legislative be made to feel as part of administrative machinery.

All this were taken cognizance of by Author Richard, whose constitution was introduced and took effect from 2nd August 1946. However, the constitution which was presented to the legislature on March 6th 1946 was opposed by some members.

The Objectives of the Constitution

- a. It aimed at promoting the unity of Nigerians.
- b. It also intended to secure greater participation for Africans in their own affairs.
- c. It aimed at evolving a constitutional framework to cover the whole country and a legislative council in which all sections of the country would be represented.
- d. It aimed at forging a link between the native authorities and the legislative councils by means of representation through the regional assemblies.

semblies of the central legislative council.

What the Constitution Actually Achieved

- a. It gave Nigerians for the first time a legislative council with a majority of unofficial members most of who were chiefs and educated Nigerians.
- b. It created regional councils which served as a centre for consultation and as a link between the centre the native authorities as envisaged by Bourdillon. In short, this constitution for the first time introduced the idea of regionalism into Nigeria political and constitutional history.
- c. It widened the suffrage through indirect election whereby, many more Nigerians took part in choosing native authorities, which in turn choose the Regional Assemblies (houses) which then in turn choose the legislative council in Lagos.
- d. The Richard constitution brought the North and South together for legislative purposes, thus enhancing or indeed concretizing the unification of the country – a process already started the amalgamation.

The Shortcomings of the Constitution

- a. It failed to give Nigeria internal autonomy in legislative matters. For the legislative bodies were mere advisory.
- b. Only four members of the legislative council were elected by direct process, all the rest were through indirect process.
- c. The executive it created, like its predecessor was essentially made

up of Europeans, thereby leaving this very important organ of government in the hands of the Europeans, made up of the chief secretary, the three chief commissioners, the acting governor, financial secretary, the Director of Education.

- d. Although, Richards constitution was expected to last for about nine years, it could not last for more than three years for by 1949, dissatisfaction with the constitution was so wide spread that urgent changes became quite inevitable.

The educated elites – the national leaders as demonstrated by the National Council of Nigeria and Cameroon (NCNC) members were particularly incensed because of the way and manner the constitution was imposed, on the people – an issue which the party protested so vehemently against that it had to send a delegation to London to protest to the colonial secretary in London.

Secondly, the nationalist did not like the increased power, which the constitution gave to the governors, for example, the appointment and deposition of chief ordinance which authorized the governor to appoint and depose chiefs at his pleasure.

The MacPherson's Constitution of 1951

In order to avoid the shortfalls of Richards constitution and especially in order to secure the support and cooperation of the Nationalist leaders, Sir John Macpherson took a certain steps which involved an extensive consultation of all shades of opinions both at the grassroot and at the high level. Thus, for e.g. preliminary discussion was held at the level of districts and provinces. The provincial discussion led to regional conference after which a genera

A conference of delegates from the various regions was summoned at Ibadan in 1951 which finally produced the constitution that went into effect in 1951.

Its Main Provisions

1. The constitution formally divided Nigeria into three.
2. It also established two legislative houses for North and West (Houses of Chiefs and Assembly) and only the House of Assembly for the East.
3. House of representative for the centre was set up. This was made up of the governor as the president or a president appointed by him, 6 ex-officio members, 136 out of this 136, 34 from the Eastern House of Assembly, 31 from the joint council of Houses of Chiefs and Assembly of the Western region, 68 from joint council of House of Chiefs and Houses of Assembly of the Northern Region, 6 Special Members appointed by the Governor. Elections into these positions was indirect through Electoral College system.
4. In addition, the constitution established for each region, an executive council which consisted of the lieutenant-governor as the president, 3 ex-official members, 2 official members appointed by the lieutenant governor and a regional ministers.
5. At the centre, all executive council, council of ministers was also established. This was made up of the governor as the head, 6 ex-officio members, and 12 ministers with 4 from each region.
6. The constitution brought Nigeria on its road to federalism with each re

gion vested with both legislative powers and executive powers.

Legislative authority was enlarged in such a way that residual powers remained with the centre while the regional legislatures were empowered to make laws on 19 specified subjects such as agric, cooperative societies, education, animal health, fisheries, forestry, land, local industries, local government native courts, public health, social welfare, regional finance etc. However, the centre also had powers on each of these as well as it can take precedence over the region in case of clash. However, every bill passed by a regional assembly was still required to be sent to Lagos for the government approval before it is accepted by the regional lieutenant-governor.

The Defects of the 1951 Constitution

1. It vested too much powers in the governor who not only was not bound to abide by the advice of the legislative and or the executive councils, but also could override the regions on any matter and could even cause a bill rejected by the region to come into effect.
2. It did not empower the legislators (both centre and the region) to collect revenue except with the consent of the governor. For as the constitution in section 84 puts it. The House of representatives could not proceed upon any bill, motion or petition which could dispose of or change any public revenue or public funds or revoke or alter any disposition thereof or change thereon or impose, alter or repeal any rate, tax or duty without the recommendation or the consent of the governor. And since the various governments could not raise any revenue, it means that, they could not embark on any capital project.
3. There was also no ministerial responsibility/authority assigned to the

ministers who only actually acted as the spokesman of their respective ministries.

4. Besides the ministers were mere representative of their regions than owe loyalty to the chief executive, their loyalties were to their respective regional assemblies that appointed them.
5. Another very important defect of the constitution was the position it gave to the civil service for example, despite the wide measures of legislative and executive authorities conferred upon the region, the public service still remained unified.
 - a. The old power structure between the governor and the lieutenant-governor on the one hand and between the heads of central departments and regional directors on the other still remained unaltered.
 - b. The power to appoint, promote, dismiss and discipline public officers were all vested in the governor. With the consent of the secretary of state for the colonies, the governor could delegate certain of his powers to the lieutenant-governor, though ultimate responsibility still devolved on him.

To enable him exercise effective control of the civil service, the governor was advised by a public service commission although he was not obliged to either to accept the advice or act in accordance with the recommendations of the commission.

Lyttelton Constitution of 1954

As a result of the proven deficiencies of the Macpherson's constitution cou

pled with its inability to cope with the changing political situations in the country, there became an urgent need to attempt to fashion out a new constitution for the country.

To this end, the then secretary of state for the colonies in London organized two constitutional conferences which were held respectively in London in 1953 and in Lagos in 1954.

Representation of the Constitution

Representation at the conferences was based on the strength of the political parties in the region.

1. The Northern and Western regions each had 5 representatives each from the majority party and two representatives from the minority parties existing in their respective regions.
2. The Eastern region on the other hand had four representatives from the dominant NCNC party and also from the minority party.

After protracted debates during the 1953 London conference, the following resolutions were reached:

1. That the regional government should be more independent of the central government in those spheres of activities assigned to them.
2. That the legislative authorities be shared in such a way that the residual powers be vested in the regional government and a limited number of subjects allocated exclusively to the federal authority.

3. That membership of the house of representative should be enlarged to 184 elected, 3 ex-officio members – chief secretary, financial secretary and the attorney general.
4. That elections into the regional legislations need not to be uniform – thus whereas in the East and West regions direct election was adopted, indirect process-electoral college system was adopted in the North.
5. That the council of ministers be made smaller to consist 9 elected members, 3 from each region, and 3 ex-officio members who also would be members of the legislative.

As we have earlier stated, the introduction of the Macpherson's constitution marked the start of a full-scale swing toward regionalism which had its first starting point from the Richards' constitution which preceded the Macpherson's. In general, the period between 1954 and 1959 marked the phase in Nigeria's political and constitutional development when the regions were made to become the principal arena of politics.

It must also be remarked that although the 1951 Macpherson's constitution conferred on the regions the power to make their own laws and so on.

There still remained a number of constraints on the powers of the regions. Thus, for example, the provision that the regional appropriation bills duly passed by the regions still had to be passed by the central legislature before it could actually have the force of law to effect disbursement of funds.

Besides, although there were ministers who were supposed to be in charge of the ministries, the effective heads of each ministry in actuality were the various directors who more or less were civil servants in the appropriate ministry – such as the directors of education, health services and works etc.

It was indeed these difficulties and constraints which led to demands for increased autonomy for the regions – demands which eventually were met by the Lyttelton's constitution which was introduced in 1954.

The major points of this constitution include the following:

1. Nigeria was to become a Federation made up of a federal, (central government), and three regional governments each with specified powers allocated to it by the constitution. The constitution was drawn in such a way and manner that there are three legislative lists – the exclusive list on which only the federal government had jurisdiction, the concurrent list on which both the centre and the region could legislate but in which the laws made by the centre took precedence over regional law in case of a clash between the two.
2.
 - a. The federal legislative was to be composed of an equal number of members from each region.
 - b. These members were to be directly elected and;
 - c. That whichever party that won the majority seats in the federal legislative would form the federal government.
3. There would be a federal supreme court whose functions would include:
 - i. The interpretation of the constitution, i.e. have original and appellate jurisdictions.

- ii. Appeals from the Supreme Court would go to the Privy Council in London for final judgment.
- 4. The regional assemblies to have full legislative sovereignty over matters allotted to them by the constitution. However, methods of elections into each regional were to be specified by each regional assembly.
- 5. Each region was to have its own civil service to be headed by the regional executive to which it was to be responsible.
- 6. Each regional government was to have a titular – having no responsibility, duty or power but only in a name.

Independency Constitution Settlement

As earlier stated in 1954 following the formal introduction of federal constitution, the first nationwide election was held. In this election, the Northern People's Congress (NPC) won all the seats in the North while the National Council of Nigeria and Cameroon (NCNC) also won all the seats in the East, but the Action Group (AG) did not. Indeed, instead, it was defeated in the west by the National Council of Nigeria and Cameroon (NCNC) which won a majority of the seats in that region.

As a result of this, the Action Group (AG) was denied a place in the federal government and of course, the Action Group (AG) which was in control of the West regional government did not take issues lying low. It quickly dissolved the local government councils in all those areas which in the 1954 federal election had returned National Council of Nigeria and Cameroon (NCNC) candidates and appointed caretaker committee composed by Action Group (AG) loyalty. In this way, the party undermined the National Council of Nigeria and Cameroon (NCNC) in the region.

With all these efforts, by 1956, each of the three political parties – Northern People's Congress (NPC), National Council of Nigeria and Cameroon (NCNC), and Action Group (AG) had so consolidated its position in its own region such that the forthcoming 1959 election expected to usher in political independence was simply seen as decisive not necessarily in capturing political power from the colonial masters as to be used for the benefit of the people of the country as an organic entity but rather as an opportunity to capture national political power for its own region. In 1957, both the East and West attained internal-self-government. In the same year, the Action Group (AG) through special arrangement was brought into the federal government.

The 1958 Constitution Conference

The London conference of 1958 clearly showed that Nigerian political elites were much more concerned with protecting their various power bases than with resolving the structural.

1. Deficiencies with the country's political framework. Thus, for example, they did not agree to the necessity of splitting the various regions into small units to at least allay the fears of the minority and to create a more powerful and unified centre.
2. Even the fears of the minorities were not given fundamental thought, instead, the conference agreed to include into the proposed independence constitution a chapter guaranteeing fundamental human rights of all citizens.

The conference also enlarged the federal legislature to 312 seats out of which the North had 174 seats, the East had 73 seats, the West had 63 seats, and Lagos had 3 seats. In other words, the North had as more than twice the

number of seats than the whole of the two Southern regions – East and West. Indeed the ratio of seats was 54:46.

It was on the basis of this arrangement that the 1959 federal election which ushered in the political independence was fought. The result of the election showed that the Northern People's Congress (NPC) won 134 seats, National Council of Nigeria and Cameroon (NCNC) won 89 seats while the Action Group (AG) won 73 seats with the remaining 16 seats going to the independent candidates.

But before the final results had been received, the governor general invited the Northern People's Congress (NPC) to form a new government – an action which was seriously criticized on account of its pre-emption of the outcome of the election.

However, in the end, although the Action Group (AG) made separate efforts to join the Northern People's Congress (NPC), and the National Council of Nigeria and Cameroon (NCNC) to form a national government, neither of these effects was accepted, instead the Northern People's Congress (NPC) and National Council of Nigeria and Cameroon (NCNC) agreed to form a coalition federal government with the Northern People's Congress (NPC) being the senior partner. Thus, in this, the AG was thrown to the opposition. By the end of 1960, most of the 16 independent candidate members had switched over to the Northern People's Congress (NPC).

Conclusion

This chapter assessed Nigeria under colonial rule. The advent of colonial rule and colonial administration. In doing this, we discussed the nature and character of policies and administrations adopted by the colonial overlords, pa

rticularly the amalgamation strategy that impacted negatively on the Nigerian polity. We also discussed the structure of the British government and constitutional development and changes that took place. From the Lord Lugard administration to Lyttleton constitution of 1954 which on the whole was meant to favour the interest of the Northerners. The colonial administration in Nigeria failed to recognize the peculiar ideologies of the various ethnic nationalities, thereby planting the seed of discord in the Nigeria political space. The constitution was equally drafted in such a way and manner that the 1959 election that ushered in political independence was already rigged in favour of the Northerners before the actual election.

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