

MOTION ON CREATION OF MORE STATES

By

Obafemi Awolowo

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Federal House of Representatives, Lagos

I beg to move the following amendment: To delete the words of the Motion after 'territorially' and substitute 'of Benin and Delta Provinces in the Western Region excluding Akoko Oke District in Afenmai Division and Ward and Western Ijaw Divisions in Delta Province', provided

1. That the remaining part of the Western Nigeria shall continue to be a region under the Constitution.
2. That a prior agreement shall be reached between the major political parties in the area of the new region on the following matters and that such agreement shall be embodied in the Act of Parliament establishing the new region, namely a) constitution of the new region; (b) constituency delimitation; (c) fiscal arrangement; (d) interim administration; (e) date of first election to the new regional legislature.
3. That the rest of the Federation shall simultaneously be divided into the following regions:
 - i. NORTH EAST, that is, Bornu and Sardauna Provinces
 - ii. CENTRAL, that is, Ilorin, Niger and Kabba Provinces
 - iii. MIDDLE BELT, that is, Adamawa, Bauchi, Plateau and Benue Provinces, and southern part of Zaria Province
 - iv. NORTH-KANO Province, Northern Zaria and Kaduna Capital territory
 - v. NORTH-WEST - Sokoto and Katsina Provinces
 - vi. EAST, that is, Old Owerri and Old Onitsha Provinces

- vii. CALABAR, that is, Old Calabar Province
- viii. RIVERS, that is, Old Rivers Provinces and Western Ijaw Division
- ix. OGOJA, that is, Old Ogoja Province' Mr. Speaker, Sir, the text of the Amendment speaks for itself.

Hitherto, the Action Group had adopted two distinct but co-ordinated approaches to the issue of more states in Nigeria.

The first approach is idealistic. The Action Group believe, as a matter of fundamental principle, that if the unity of this country is to be lasting and if our people are to have abiding peace and happiness, each ethnic or linguistic group in Nigeria must be assured of political self determination within the Federation. In other words, each ethnic or linguistic group should either have a region of their own now or should have a definite and invincible assurance that, granting financial and administrative viability, they will have a region of their own in the future.

Furthermore, the Federation of Nigeria is monstrously abnormal in structure in the sense that one of the three Regions is not only bigger in territory and population than the other two put together, but has also in actual practice succeeded in placing itself in a position where, at its arbitrary and capricious pleasure, it can bend the will of the entire Federation to its own.

This abnormality must be terminated if every section of our country is to enjoy the full fruits of freedom in an independent Nigeria. And the termination of this abnormality does mean the breaking of the Northern Region into more Regions than the two hitherto advocated.

The second approach of the Action Group to this problem is pragmatic. As a matter of expediency, we believe that the creation of one of the Regions advocated by us is a step towards the eventual realisation of our dream. It is for this reason that we have always supported the demand for the creation of the Mid West Region.

But the parties now in control of the Federal Government have been unashamedly illogical, spiteful, unprincipled and opportunist, in their approach to the creation of more States in Nigeria. There can be no

rational ground for their insistence on creating the Mid West Region when demands for the creation of other Regions in the East and in the North are ruthlessly silenced, or, at the very best, contemptuously ignored.

Since the motion for the creation of the Mid West Region first came to this House last year, we have had a chance of knowing more of the evil designs of the NPC and the NCNC against the Action Group which is the champion of the minority group, and against the majority ethnic group of the Western Region.

It is an open secret that the Federal Government plans to use every artifice to install the NCNC in power in the new Mid West Region and, if it could, to incapacitate the Action Group in the rest of the Western Region.

NCNC spokesmen have been very loud in their boast that during six months of control by the Federal Government of the administration of the Mid West Region and of the Yoruba West, the fortunes of the NCNC would have been sufficiently advanced to enable them to win the succeeding elections in the two Regions.

In my letter to the Prime Minister dated 13th July, 1961, I made some important points which can bear repetition on this occasion, and, with your permission, Mr. Speaker, I quote in extension from the letter. In order to ensure co-operation on the part of all shades of political opinion in the Mid West in all the sub-sequent steps necessary for the creation of the new State, I have the following concrete proposals to make.

First, a conference of political parties with followings in the Mid West should be convened by you. The Action Group and the NCNC who are the only parties with the following in the area should have equal representation at the conference. The Governments of the Federation and of the Western Region should be represented as such and in equal number at the conference.

The Western Region Government is entitled to be represented because it alone is bound to be affected by some of the decisions that will be taken at the conference.

The conference will be pre- sided over by you, supported by official advisers.

Agreement at this conference will be reached by compromise as was the case at the series of Nigerian Constitutional Conference over which the Secretary of State for the Colonies presided.

'Second, the matters which should be discussed and agreed upon both at the first and resumed meetings of the conference should include the following: the Constitution of the new Region; allocation of revenue to the new Region; safeguard for minorities within the Region; new report of constituency delimitations, that is to say, after a decision has been taken at the first meeting of the conference as to the number of regional constituencies which the new Region should have, it would then be your duty to appoint a Committee to delimit such constituencies (the Commission would, as in similar cases in the past, have consultations with the Action Group and the NCNC representatives before arriving at its recommendation); arrangements for the interim administration of the Mid West Region, that is, between the coming into existence of the Region and the holding of general election.

In this connection I would like to point out that if the precedent of the Southern Cameroons is to be followed with reasonable modifications, then the present Members of the Western Region Legislature representing the Mid West should constitute the interim legislature of the area.

This interim legislature will appoint, from among its own Members, persons who would constitute the Executive Council and thus be responsible for the interim administration of the new Region.

'Third, it is essential that the Federal Government should make a categorical statement that the rest of the Western Region will ipso facto remain a corporate regional entity under the Constitution. This statement should not have been necessary but for the statements which some Federal Government spokesmen have made and which are incompatible with the provisions of the Constitution.

It has been said that after the creation of the Mid West Region, what will be left of the Western Region will be regarded by the Federal Government as not legally constituting a Region under the Constitution, his view is clearly an erroneous one.

In the interest of the people, the Federal Government must not be allowed to fall into the temptation of committing such a grave error as this. A categorical statement by the Government on the lines

suggested above will make the constitutional position abundantly clear and allay any misgivings on the issue.

Fourth, it is, in my humble opinion, imperative that the agreement reached at the Conference proposed in paragraph 6 above, and the Federal Government's categorical statement on the position of the rest of the Western Region should be reduced into legal terms and should be made to form the Schedule or Schedules of the Bill for an Act of Parliament to create the Mid West Region.

The Prime Minister's reply, Mr. Speaker, was non-committal. He said, inter alia, as follows — and with your permission, Sir, I quote two paragraphs from the Prime Minister's letter: 'Now specific points you raise in paragraphs 6 to 9 of your letter. The Conference suggested by you of political parties with a following in the Mid West which you asked me to convene is a good idea.

But I consider it is a little premature. Such a suggestion can be seriously considered after the Federal Parliament's Resolution has received the blessing of the Western Region Legislature, which is all that remains in order to perform the proper exercise of putting the Constitutional provisions into effect.

The other point relates to a request for a categorical statement to the effect that, in the event of the creation of the Mid West State, the rest of the Western Region of Nigeria will still remain a Region under the Constitution.

This is an undertaking that the Federal Government cannot give. You will readily appreciate that the issue of the creation of States is not a matter for the Federal Government as a Government. It is a matter, firstly, for the people affected; secondly, for the political parties with a following in the area; and, thirdly) for the Federal Parliament and Regional Legislatures.

I have listened very carefully to the very short speech made by the Prime Minister in moving the Motion on this subject, and I can find no answer at all to my queries, nor solace for the anxiety of the people of the Western Region in particular and of the minority areas in general.

It goes against the grain, in my view, and it appears to me to be a subtle assault on the Constitution, that, the Federal Government can unjustly and in an indecent haste try to force the creation of the Mid

West Region upon the overwhelming majority of the people of the Western Region, without giving the prerequisite guarantees, and without the fullest possible consultations with the accredited representatives of the people concerning procedure.

The whole of this business, if I may say so with respect, smacks of ill-will and spite. There are many here, and outside this Chamber, who may be startled — and I have no doubt that the Prime Minister himself was startled — by the number of States now proposed for simultaneous creation. Some will charge us with inconsistency for making this proposal. If we were inconsistent, then I say that we are in very good company. It is the most dramatic volte-face in our history for the NPC and for the Prime Minister in particular - the one-time uncompromising opponent of the creation of any new States at all — to become the foremost advocate and champion or at least the undisguised godfather of the proposed Mid West Region.

In our case, we have never at any time changed place to take an opposite point of view to the creation of more States. We have always advocated the creation of more States, and it is merely a courageous and enlightened advance towards the ideal if we now call for the creation of 11 States instead of 6. The truth, however, is that whatever we demand, whether we demand the creation of 6 States, or 11 States, or even 40 States, we are still acting within the ambit of the principles by which we have always been guided.

As I have said before, our manifest goal on this issue is that more and more States, based on ethnic or linguistic affinity, should be created in Nigeria until each of the ethnic or linguistic groups in our diverse community enjoys political self-determination within the Federation. Until this ideal is realised, until this goal is reached, consenting minorities can always be constituted into a separate State, as Government now wants to do in the Mid West Region.

In determining whether a particular State should be created or not, regard should of course, be had, among other factors, to financial and administrative viability. I am fully convinced that each of the six States proposed in this Amendment is viable.

HISTORICAL NOTE: THIS MOTION WAS PASSED BY VOICE VOTE

ON THE SAME DATE (APRIL 4, 1961). IT WAS GIVEN APPROVAL IN THE EASTERN REGION IN JUNE 1961 AND IN THE NORTHERN REGION IN SEPTEMBER 1961. HOWEVER, IT WAS LATER ON RULED UNCONSTITUTIONAL AND HENCE WAS NULL AND VOID BECAUSE ONLY VOICE VOTE (NO DIVISION) WAS TAKEN.

ON MARCH 23, 1962, ON THE SECOND READING OF THE BILL TO CREATE MIDWEST STATE, CHIEF AWOLOWO MADE THE FOLLOWING CONTRIBUTION IN PARLIAMENT I rise to oppose the Second Reading of this Bill and, on very good grounds. I am astonished that the Government continues to tread the path of stubborn inequity in this matter.

I do not wish to repeat the argument which has been constantly urged in this Hon. House against the creation of the Mid West Region unless certain conditions are satisfied.

But may I say this, that the Prime Minister himself did say here on a previous occasion, and he has reaffirmed that statement this morning, that after the creation of this State (the Mid West Region), no other State would be created in the Federation; or to use his own words, he would not tolerate a further break-up of any part of the Federation.

It is generally agreed by all of us — all sensible persons in any case — that our Federation is an unusual one in the sense that it is unbalanced.

You have the Federation in which one Region is more than equal to the other Regions put together. It is, therefore, imperative if the Federation is to continue in peace and harmony, that that monolithic giant Region should be broken up.

The Prime Minister, as Prime Minister, has no' region of origin; but as Sir Abubakar Tafawa Balewa, he comes from Bauchi, and therefore, he belongs to that Region which deserves to be broken up if the Federation is to continue in harmony and peace. I should have thought that after the Prime Minister had listened to public opinion on this matter, he would desist from treading this path which I described as `stubborn in- equity'.

It is inequity against the Western Region to insist on creating this State. It is inequity against the Eastern Region to continue to want to create this State; and it is inequity against the whole of the Federation to allow the Northern Region to remain as it is without breaking it up, and more so, to make a declaration to the effect that there can be no question of breaking it up.

The Prime Minister did say that if any Region makes the request that it wants its area to be broken up, that request would be acceded to.

Our Constitution is very clear on the point. It is not up to a Region under this Constitution to make the request. The initiative should be taken under the Constitution by this Federal Legislature. In this particular case, the initiative has been taken by the Federal Legislature.

The oft quoted Motion of 1955 has been thoroughly misconceived and misconstrued. In 1955, the Motion that was moved was very plain and clear; and to this effect, with your permission, I quote from the official report of the Western House of Assembly 'That this House prays Her Majesty's Government in the United Kingdom to make necessary constitutional arrangements at the proposed Conference in 1956 to give effect to the creation of a separate State for Benin and Delta Provinces.

' After that Motion had been moved, I then rose up as Leader of Government Business, or as the Premier of the Region, to say as follows: 'In view of the issues involved in this Motion, I want to announce that the Government adopts no official attitude whatsoever toward it.

Secondly, Members of the Government and of the Opposition who wish may support it without any restriction whatsoever.' Sir, in other words, it was not a Government Motion; and secondly, the Government did not give it its blessings. It is, therefore, incorrect for anyone to interpret that Motion as suggesting that the Western Region Government made a move for the creation of the Mid West Region at the present time.

What is more, as we have pointed out before, the Willink Commission was appointed at the Conference that was held in 1957 and the recommendation of the Willink Commission was that no State would be created, and Her Majesty's Government insisted that indeed no State would be created, before they handed power to the

people of Nigeria.

So, the present move to create the Mid West Region is that of the Federal Government, and the Federal Government must own up its own responsibility in that regard.

The other point I wish to make is that with the presentation of this Bill for an Act to create the Mid West Region in the form that it has been presented by the Hon. Prime Minister, the people of the Mid West and of what is left of the Western Region are being called upon to buy, so to say, a pig in a poke. Here, we have a Region without any legal identity whatsoever.

What is the Constitution of this new Region? How many Members will sit in its House of Assembly? How many Members will sit in its House of Chiefs? What revenue will this new Region be entitled to? And so on and so forth.

It may be easy for the people of the North or the legislators in the North and in the East to support the move that is being made now because they have no stake in the matter; but the Region that is to pay the price of this pig in a poke is entitled to insist on an examination of the pig so as to make sure that the price that is asked for it by the Federal Government is an appropriate one.

Then the Hon. the Prime Minister has repeated his assurance here that what is left of the Western Region would constitute a State. It is not enough that a mere oral assurance should be given in this House. It is important that the assurance should be in a statutory form.

It is a matter of plain common sense that when you divide an area of even a Local Government Council into two you have to amend the instruments of the two new Local Government Councils, in other words, you have got to make an instrument for the new one and amend the instrument of the remaining part of the Local Government Council area.

In other words what ought to be done on this occasion, before we can give our support at all, is to present to this House a Bill containing the Constitution, or a Bill containing in its Schedule the Constitution of the Mid West Region and the Constitution of what is left of the Western Region, because legally what is left will not be regarded as a Region unless there is a Constitution.

It has been suggested here that after the passage of this Bill the Constitution of the Mid West Region will be worked out. If you take the Mid West Region out of the Western Region what is left is no longer the Western Regions because the Western Region is defined under the Constitution as having a given area, and that area is no longer there. What name do you give to it then?

It follows, therefore, that after the passage of this Bill and when the Referendum has been held — if the Referendum ever succeeds — a new Constitution will have to be fashioned for what is left of the Western Region, and I say that that is the situation that the people of the Western Region as a whole cannot put up with.

May I repeat very briefly that it is not just one condition that has been attached to the creation of the Mid West Region as a precedent?

There are a number of other conditions, but two of them are vital. I have already mentioned one, that there should be a Constitution for the Mid West Region and a Constitution for the rest of the Western Region as Schedules to this Bill. That is one.

Secondly, there must be a statutory provision for an interim Government for the new Region. That is absolutely important. It is provided for in the Constitution that the Federal Government can administer the affairs of the new Region for some six months. It is an optional sort of provision not in any way mandatory.

But the Federal Government is intending to administer the affairs of the Mid West Region for six months. May I say that that plan outrages the political instinct of the people of the Mid West Region and of the people of the Western Region as a whole on the ground that the NPC, which dominates the Federal Government, has no following in the Mid West Region.

In other words by allowing the Federal Government to administer the affairs of the Mid West Region, you are in effect imposing upon the people of the Mid West Region, a Party which is not of their own choice.

I repeat that unless suitable arrangements are made for an interim Government for the new Mid West Region, we on this side of the House cannot support the Bill as it stands.

I have said it before, and I may repeat it that we have a precedent for

the request which we make. When the Southern Cameroons in these days was separated from the Eastern Region, the two Parties which existed at the time formed an interim Government.

The Action Group and the NCNC exist in the Mid West Region more or less in equal number, and I think that the two of them should in equal number form an interim Government of that area.

It is my view that if the Leaders of the NCNC in the Mid West Region have the interest and welfare of the people of the Mid West Region at heart all they should accede to a proposal for the constitution of an interim Government consisting of the Action Group and the NCNC in equal number.

But if they oppose that they cannot have a Mid West Region.

I do not wish to take more of the time of the House on this matter, but may I say, in conclusion, that in principle we support the creation of more States in Nigeria, and, in particular, the creation of the Mid West State.

But in view of the fact that the procedure adopted by the Federal Government in their attempt to create the Mid West Region is unsatisfactory and in view of the fact that the very easy conditions which we have proposed have not been given effect to by the Federal Government, I consider it my duty to oppose this Bill.

And, as I said before, it will also be my duty after the Bill shall have been passed and a day is named for a Referendum, to call upon all my supporters in the Mid West Region to say 'No' to the Creation of the Mid West Region.

HISTORICAL NOTE: THIS SECOND MOTION WAS PASSED IN FEDERAL PARLIAMENT MARCH 24, 1962 BY 214-49 VOTES. ON MARCH 30, THE MIDWEST REFERENDUM BILL WAS PASSED. APRIL 18, THE MIDWEST PARLIAMENTARY BILL WAS PASSED. ON MAY 29, 1962, A STATE OF EMERGENCY WAS DECLARED IN WESTERN REGION, BY THE FEDERAL GOVERNMENT, AND CHIEF AWOLOWO'S MOVEMENT WAS RESTRICTED. THE CONTENDING WESTERN REGION PREMIERS (ADEGBENRO AND AKINTOLA) WERE PUSHED OUTSIDE.

DR. MAJEKODUNMI'S EMERGENCY ADMINISTRATION GAVE THE WESTERN REGION GO-AHEAD FOR THE MIDWEST REFERENDUM TO PROCEED. SEPTEMBER 22, 1962 HE WAS PLACED UNDER HOUSE ARREST AND NOVEMBER 1962 HE WAS CHARGED WITH TREASON. JANUARY 1, 1963, CHIEF S. L. AKINTOLA RETURNED AS PREMIER OF THE WESTERN REGION, NO LONGER AG BUT NNDP PARTY LEADER.

AKINTOLA WAS OPPOSED TO THE MIDWEST REFERENDUM AS LATE AS MAY 1963. ON 24th JUNE, 1963 THE MIDWEST REFERENDUM DATE WAS GAZETTED (SET) FOR JULY 13, 1963, AND THE CREATION OF THE MIDWEST WAS OVERWHELMINGLY APPROVED ON THAT DATE. ON SEPTEMBER 11, 1963, CHIEF OBAFEMI AWOLowo WAS SENTENCED TO 10 YEARS IMPRISONMENT FOR TREASON, ALONG WITH CHIEF ENAHORO (SEPTEMBER 9) AND OTHERS.
