

INSTITUTE OF CURRENT WORLD AFFAIRS

PBM - 12  
Constitutional Crisis

c/o Quorn Hotel  
P. O. Avondale  
Salisbury,  
Southern Rhodesia  
November 29, 1953

Mr. Walter S. Rogers  
c/o Institute of Current World Affairs  
522 Fifth Avenue  
New York 36, New York

Dear Mr. Rogers:

In the teeth of the Federal Parliamentary Election, scheduled to come up on December 15, Sir Roy Welensky, the leader of the elected members of the Northern Rhodesia Legislative Council, has created a constitutional crisis in Northern Rhodesia.

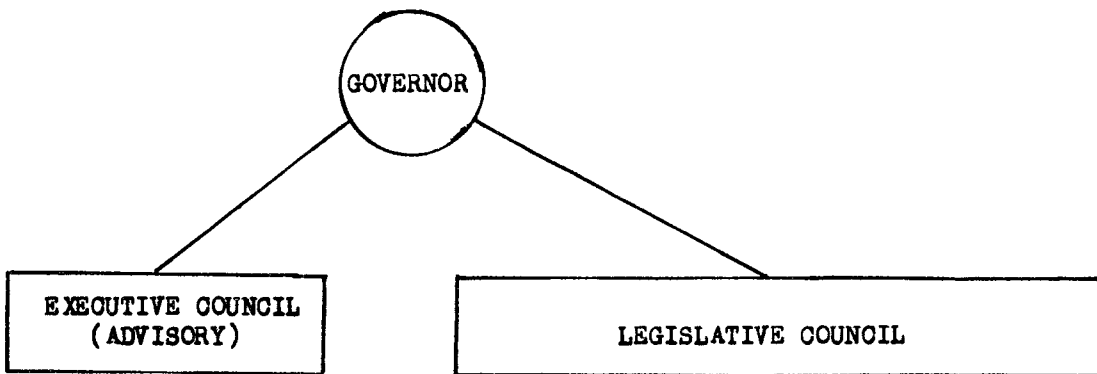
It all came about as a result of deadlocked, three-cornered talks in London in September over proposed changes in the Northern Rhodesia constitution. The European elected members of the Northern Rhodesia LegCo (Legislative Council) presented proposals so incompatible with proposals made by African members of LegCo that Oliver Lyttleton, British Secretary of State for the Colonies, was forced to make his own decision.<sup>1</sup>

It was a compromise decision, apparently even less popular with those for whom it was made than most compromises are. In protest, Sir Roy and his fellow elected members resigned all positions on committees and all cabinet posts held by them when Lyttleton refused to reconsider his decision, or to come to Northern Rhodesia to discuss it. A drastic move, threatened several times by Sir Roy, but never put into effect until now, only a few weeks before the first important election since the Federation referendum.

I was in Lusaka, capital of Northern Rhodesia, when the big fight started. I was having lunch at the Ridgeway Hotel with a man high up in political circles there the day before Sir Roy and the other elected members announced their decision to resign. We were eating in the spanking new dining room of the ultra-modern hotel and as the soup course ran into the fish course and the fish course ran into the very fine rack of lamb, my luncheon companion began to tell me something about the political setup in his country. The conversation went on and on and we lingered for a couple of hours over our coffee. The specially imported French headwaiters hovered in a corner, frowning in a very polite way every time our cups were refilled. It was obvious that they were perfectly prepared to go home.

The most important bit of information he saved until last. As we were about

1. Before we go any further, I should explain the various components of the Northern Rhodesia Legislative Council (LegCo). There are nine official members, senior British civil servants nominated by the Colonial Office; there are ten unofficial elected members, elected by citizens of Northern Rhodesia to represent Northern Rhodesian electoral districts; there are two unofficial Europeans nominated by the Northern Rhodesia Governor to represent African interests; and there are two African (Native) representatives elected by the African Representative Council (PBM - 11). See the diagram on the next page. From now on I shall refer to the first group as "official members," the second as "elected members," the third as it reads above, and the fourth as "African members."



Made up of eight cabinet ministers (six official members of Legislative Council and two elected members.) Also sitting on the Executive Council without portfolio are one elected member and one unofficial European member nominated to represent African interests.

Made up of nine senior British Civil Servants appointed by Colonial Office (official members); ten unofficial members elected from Northern Rhodesian constituencies by Northern Rhodesian voters; two unofficial European members nominated by Governor to represent Native interests; two unofficial Native members elected by the African Representative Council to represent Native interests.

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to leave, I mentioned that I was anxious to leave for the Copper Belt, the heart of Northern Rhodesian economy and soon to become the heart of the economy of the entire Federation. "I wouldn't leave Lusaka just now," my friend said. "It might pay you to stay on here in Lusaka for a few days." I looked at him quizzically. He stared back at me for a minute as though trying to size me up. "Well," he said, "if you tell anyone I told you this, I'll deny I ever said a word. Sir Roy and the other elected members in LegCo are going to resign all their cabinet and committee posts tomorrow. There should be some debate that will interest you." That was all he said. Then he turned and gathered his belongings.

If he had made that statement before giving me the long explanation of the political setup in Northern Rhodesia it would have meant nothing to me. As it was, the news was enough to make me cancel my arrangements to travel on to Ndola and the Copper Belt. For what Sir Roy was proposing can only be described as a last-resort measure.

The background of the dispute goes all the way back to the beginnings of Central Africa. In 1899 letters patent granting a Royal Charter of Incorporation to the British South Africa Company were issued to Cecil John Rhodes. Part of the vast tract of land thus awarded to the Company was the present Northern Rhodesia, then nameless and unused except as a source of labor for Southern Rhodesia and the Union of South Africa. Because of its relative unimportance, there was no real government, and administration consisted of half-hearted B.S.A. Police efforts to preserve the peace.

Government in Northern Rhodesia actually began in 1891 when Great Britain assumed protectorate over the "Nyasaland Districts," which at that time included what is now called Northern Rhodesia. In 1897 Northern Rhodesia was split into two sections, Northeastern Rhodesia and Northwestern Rhodesia. The B.S.A. Company was given local jurisdiction over Northeastern Rhodesia, but the Crown kept control of Northwestern Rhodesia because of a border dispute in that area with the Portuguese in Angola.

In 1911, when the European population of Northern Rhodesia had reached 1500, the two administrations were amalgamated. At that time local administration was put in the hands of the Company but protectorate control was still maintained by the British Colonial Office in London. In 1918, the first beginnings of the present Legislative Council were created. An advisory council consisting of five Europeans, four from Northwest Rhodesia and one from Northeast Rhodesia, was set up.

This council had no legislative or executive authority. That was still vested in the B.S.A. Company's administrator subject to reserved powers of legislation by proclamation by the British Government High Commissioner. It was at that time that the settlers in the colony began to demand more self-government.

In 1923 self-government was granted to Southern Rhodesia and B.S.A. Company control there was abandoned. In 1924 the B.S.A. Company lost legislative control of Northern Rhodesia and the government was taken over directly by the Crown. The advisory council was replaced by a Colonial Legislative Council made up of nine official members and five elected members.

That government was regarded as merely temporary throughout the 1920's. It was believed by both official and elected members that this type of government would give way in a very few years to self-government like that which had been granted to Southern Rhodesia. The elected members stopped agitating for a bigger say and the official members openly admitted that they were soon to leave.

Then came the publication in 1930 of Lord Passfield's (then Secretary of State in Great Britain) memorandum on native policy in East Africa. He affirmed the belief that the main responsibility of Great Britain in East Africa was as trustee for the native peoples "not yet able to stand on their own feet." He declared that this would make necessary the retention of final control of Northern Rhodesian government by Great Britain, even if it were eventually decided to establish a majority of elected members in the Legislative Council. He asserted that the interests of the Natives were paramount--if there were any conflicts, their interests should prevail.

In 1930 the number of elected members was increased from five to seven.

Eight years passed before any further changes were made in the makeup of LegCo. In 1938 the elected members were made theoretically equal in number to the official members by reducing the number of official members from nine to eight, and adding a nominated unofficial member to represent Native interests.

Let us hear, in Sir Roy's own words, what the elected members felt about their situation in those days. The following is taken from Hansard, the official Northern Rhodesia record of debate in LegCo:-

"Now, Sir (addressing the Speaker), very briefly, the position in 1938 was such that in this House we had eight unofficial members and eight official members, and in those days the Governor presided over the Legislative Council. Of course in 1938 the Governor had a casting vote, and if I may just for a moment go back to those days, Sir, I need hardly tell the House that having sat as the chairman of Executive Council and having instructed the officials which way to vote when a division took place in the legislature, as it often did, there was no question as to which way the Governor's casting vote went. It certainly did not go in the direction of the unofficial members."

In 1941 a minor change was made when an additional elected member was added to LegCo along with the raising of the number of official members back to nine again.

In 1944, according to Sir Roy,

"...in 1944, Sir--the date is of some significance--without any preliminary discussion, as far as I know, with any elected member--and I was one of the senior members by then--in 1944 we were informed that the Secretary of State for the Colonies had decided to grant this country an unofficial majority in this legislature. This was to be made up in a most interesting way, by increasing the number of nominated African representatives (European) from one to three, and a very novel system was also introduced to us; there came into being two nominated European representatives who were stated to represent no specific interests as far as I can recollect.

"I may say, Sir, that this led to considerable opposition, not only from elected members but from other people as well, because it was felt that nominated members would be very carefully hand-picked and in effect would be nothing else but stooges for the Government. ...the interesting point was this, Sir, that we got to the stage when the British government said we had an unofficial majority and what in effect they had done was they had now provided a facade in which they could say that the legislature had a majority of unofficials in charge but an examination of the facts clearly indicated that of course there had been no transfer of power whatsoever."

In 1946, the African Representative Council was set up to give Natives experience in a democratic type of government by representation. By 1948 it was felt that this A.R.C. had developed to such a point that it might be given a voice in LegCo. Therefore, in 1948, the two unofficial nominated members (see Sir Roy's speech above) not representing any "specific interests" were replaced by two elected members. At the same time the number of unofficial members representing African interests was increased from three to four and two of those four were Africans elected by the A.R.C.

And, a very important change was made in the Executive Council. Two unofficial (elected) members were given cabinet posts and were made members of the Executive Council for a trial period of 30 months. Also, in 1948, the Governor of the Colony was removed from LegCo and was replaced by a Speaker of the House (appointed by the Governor).

Summing up, Northern Rhodesia is still a British protectorate. Executive power is in the hands of the Governor who represents Her Majesty. He is advised by an Executive Council made up of six senior official members of LegCo and two elected members. The Governor must consult the Executive Council on all important matters. All legislation (except constitutional matters) is handled locally by the Northern Rhodesia Legislative Council. British protected persons (most native Africans) cannot vote in open elections unless they become British subjects and pass certain voting qualifications.

That was the situation up until last September when Sir Roy Welensky and Geoffrey Beckett, representing the elected members, and Mr. Dauthi Yamba and Mr. P. Sokota, representing Native interests, went to London to confer with the Secretary of State for the Colonies (Lyttleton) about proposed constitutional changes.

Sir Roy and Mr. Beckett made the following requests: (1) That there should be an increase in the number of elected members in LegCo (They asked for an additional three members but later admitted they would be satisfied with two); (2) That the Executive Council should consist of eight members, four official and four unofficial (an increase of two unofficial members); (3) That the Executive Council cease to be advisory and become, in stead, a Cabinet; and (4) That there be a reduction of official members in LegCo. In effect, Sir Roy and Mr. Beckett were asking for a working majority in LegCo and increased representation on a more powerful Executive Council.

Mr. Yamba and Mr. Sokota asked for the impossible. They asked for: (1) An immediate Native African majority in LegCo and on the Executive Council, and (2) extension of voting rights to all British protected persons. During the talks in London they reduced their demands to a request that the number of African representatives in LegCo be increased to a number equal to that of the Europeans and extension of voting rights to all British protected persons. In effect, what they asked for was political control of Northern Rhodesia, if not now, at least in the near future.

The constitutional changes decided on by Lyttleton were: (1) The number of European elected members of LegCo would be increased from 10 to 12 and the number of African members from two to four; (2) The Colonial Secretary would consult with the Northern Rhodesian government on the desirability of replacing one of the unofficial European members nominated to represent African interests by an African; (3) The economic secretary in the Executive Council would be eliminated when the Federal government took over economic affairs; (4) he would also be eliminated as a member of LegCo, thus reducing the number of official members from nine to eight; (5) Portfolios in the Executive Council to an additional elected member and to one of the unofficial Europeans representing African interests would be approved; and (6) the Secretary of State for the Colonies was prepared to consider extending the franchise to British protected persons.

On the surface, it would seem that Sir Roy got everything that he asked for. An increase in the number of elected members in LegCo, an increase in the number of unofficial (one elected and one nominated) members on the Executive Council, a decrease in the number of official members on the Executive Council, and a decrease in the number of official members of the Legislative Council. He did

not get, it is true, his asked-for four to four arrangement in the Executive Council, but that was a minor point. As far as making the Executive Council a sort of front bench Cabinet, Lyttleton included a reference to that in his statement on the constitutional changes. He said it seemed desirable that all members of the Executive Council should hold portfolios and form a "Government front bench in the Legislature."

Why then, should Sir Roy go to such great lengths to show his disapproval of the Secretary of State for the Colonies' ruling? It was not, I found from Sir Roy, because of the concessions that had been granted to the elected members. It was because of the concessions that had been granted to the Native African members. Sir Roy found them unacceptable--especially the provision which stated that the Secretary of State for the Colonies was prepared to discuss extending the franchise to British protected persons. He asked Lyttleton to come to Northern Rhodesia to discuss these concessions to the Native members and Lyttleton refused. It was at that point that he and his followers resigned from the committee and cabinet posts.

The crisis came to a climax on Wednesday, November 11, 1953, when Sir Roy got to his feet in LegCo and put the following motion: That the constitutional changes announced by the Secretary of State for the Colonies on Wednesday, 23rd September (1953), are unacceptable.

Sir Roy had announced the resignation of himself and his fellow unofficial elected members on Saturday, November 7. From that time until this meeting of LegCo, conversation in Lusaka had dealt with nothing but this move of Sir Roy's. A great many people condemned Sir Roy for taking such a strong move just when Federation was about to get under way. Some thought he was just playing to the grandstand for political reasons. Not very many people were completely clear as to just what Sir Roy was up to.

Fortunately, Julie and I had become very friendly with Stewart Parker, Sir Roy's personal secretary, in the days between the resignation and the LegCo meeting on Wednesday. In fact, we spent Tuesday night in Sir Roy's living room talking to Parker.

We had been cautioned to be quiet--Sir Roy was writing his speech in the next room. Parker had invited us to keep him company. He, in turn, had been invited to keep away political well-wishers who might drop in during the evening. We spent a very interesting few hours with Parker as he told us of the various members of LegCo--their foibles, weak points, and strengths. He dwelt at great length on Sir Roy--telling us how Sir Roy had started as a locomotive driver, had spent a few years trying to slug out a living with his fists as a professional boxer, and returned to engine-driving to become a labor organizer, eventually getting himself elected to LegCo on the strength of his labor backing in 1938.

Sir Roy still fancies himself as a labor man, Parker told us, and is very proud of the fact that he still is a member of the Railway Workers' Union. "He feels that he is representing the interests of the people in the mines and behind the fireboxes. But, of course, he isn't any more," we were told. "He's as conservative as Winston Churchill."

We were talking of the next day's excitement in LegCo when a door behind me

opened and Sir Roy walked into the room.

When you first see him, you are impressed with his size. I don't mean by that that he is a powerful man who looks like a boxer slightly out of condition. Sir Roy is, frankly, tremendously overweight. His waistband must measure somewhere near 50 inches and his clothes must be specially made for him since he is not very tall--about 5' 9" or so. When he walked in he was wearing a pair of extremely baggy trousers hung on suspenders, a dirty shirt, and a weary, worried expression. He was not wearing a collar, necktie, or coat.

He seemed glad to see us and after Stewart made introductions and disappeared into the kitchen to make tea, Sir Roy fitted his bulk into an overstuffed chair in the corner of the room. As the conversation began, I was surprised at Sir Roy's voice. In popular fiction a man whose size is so impressive as Sir Roy's, invariably has a voice to match. It usually is compared to rumblings of a dynamite charge set off in the Grand Canyon. Sir Roy speaks very fast in a voice that sounds something like a 14-year-old boy trying to make up his mind whether to be a baritone or a second tenor.

It was soon apparent to both Julie and me that he was in no mood to talk about the hornet's nest he had stirred up. He had spent hours working on his speech and seemed to be more interested in what we were doing in his living room than in what he was going to say the following day. As we explained the Institute of Current World Affairs, his brow unfurrowed and he seemed pleased to be able to talk about something other than politics. He told us of his early days as a boxer--how he had paid Native railway workers sixpence a workout as sparring partners.

"They soon became tired of being knocked down," he said with a grin, "especially when I ran short of money and couldn't afford to pay them sixpences any more."

The conversation went on in this reminiscent vein while Sir Roy drank his tea, then we excused ourselves when Stewart suggested that a good night's sleep was obviously needed before the fight began in LegCo the following day.

Sir Roy agreed, then turned to us and said he hoped we would be on hand for the fireworks. "It may turn out to be good fun," he said as he shook hands. His arm and hand were still full of strength, I found. Sizing him up from such a short acquaintance, two things were obvious. He was a man who loved a good, tough, slugging fight. And he was a man who, once he had made up his mind, stuck firmly to his decision.

My opinion of him was unaltered the next day in the LegCo chamber when he got up, stuck out his chin, and began what is sure to be considered one of the most important debates ever held in the Northern Rhodesia Legislative Council. The following are some of the important points he made in his opening speech:

"First of all, Mr. Speaker, I want to make it clear that I and my elected colleagues regret very much the need for this motion. I also want to place on record that we, that is the elected members, were astounded by the refusal of the Secretary of State to delay these changes until we had had an opportunity

of discussing them with us. Our request was that he should come to this country and discuss this matter not only with the elected members but with other parties concerned as well as the Government. We did not ask him to make any commitment, all we asked was that he should come here and discuss the matter with us on the spot."

Sir Roy then went on to trace the history of the Legislative Council from 1938 to the present time as I have done above. His account picked up interest when he reached the important year, 1948.

"Round about 1948 there was one other extremely interesting development from our point of view, and that was the introduction of the membership system, that is the position whereby unofficial members held portfolios in the (Executive) Council. . .

"Now the membership system, and this is an important point because it is related to the present difficulties, was introduced for a trial period of thirty months. . . . After a passage of time the elected members, and I believe the unofficial members as a body, were satisfied that the membership system was satisfactory, and as the period of 30 months began to draw to an end my colleagues and I asked that the position should be extended and that the number of members should be increased from two to four. . . .

"It was agreed here in Northern Rhodesia by the Governor, all unofficial members---...that is, both European and African; (they) came to an agreement, and this was the basis of the agreement. That we would extend the portfolio system from two to four but of the two new members holding portfolio one would be an African representative, a European, who was a member of Executive Council, and the other one would be an elected member. . .

"In the meantime we had been advised by the Secretary of State that it was not possible for him to come out and he in return suggested that the matter should be discussed in London; agreement was reached to proceed to London and discuss the matter with him. In the meantime certain things had taken place, the thirty months' period had come to an end and the two African members who had agreed to the original arrangement whereby we extended the system from two to four had been replaced by the honorable gentlemen who now sit in this House, the two honorable African gentlemen representing African interests. Now, Sir, I understood at the time that these two gentlemen before they proceeded to London with us already knew of the proposal, and this is rather an important point from our point of view, because when we got to London I was of the impression, as I believe my colleagues were, that an agreed decision had been arrived at here on the spot."

Mr. Yamba: "Not by us."

Sir Roy: "Mr. Speaker, I think that perhaps a little bit later when the debate develops we may learn something of that period but I was of the impression that agreement had been reached and that the two honorable gentlemen had been told of the proposed changes, and as far as I knew up 'til the time we left this country there had been no objection from them."

Mr. Yamba: "There was."

Sir Roy: "The honorable member will get his chance to speak, Sir, and he can present his views then. I am merely trying to convey what I understood the position was. . .

"We no sooner got into the negotiations than we discovered that the two Africans who had gone to London had decided, or had been instructed, I do not know what, but they certainly indicated to us there that the proposals agreed to here by the Government and the unofficial members were not acceptable to



them. Now, Sir, the Secretary of State made the point to us that in view of the imminence of the publication of the report of the officials on Federation he felt it was undesirable at this stage that we should have any major difference of opinion on constitutional matters. . . I, as my colleague on my left will endorse, made the point that, in view of the ham-handling of the whole question of Federation, irrespective of what the British Government said or did at that stage, it was . . ."

Mr. Unsworth (Attorney-General and official member): "Who by?"

Sir Roy (angrily): "I will tell you who by if you want to know, in very straight language. By the British Government who have shirked everything they could for the last 20 years and have only made a decision when they have been forced to do it, never before."

Mr. Unsworth: "What about the Falls Conference (on Federation)?"

Sir Roy: "What about the Falls Conference? I would like to hear."

Mr. Unsworth: "So should I."

Mr. Speaker: "I think it would advisable if honorable members would not interrupt; they will have an opportunity to speak later."

Sir Roy: "Mr. Speaker, as far as I am concerned the honorable members on the other side can interrupt just as much as they like. I will say this to my honorable friend, I have treated his government with a lot more courtesy than his government have ever treated me. I invited the government of this country to send an observer to that meeting and they got a copy of the record. So, if the honorable member wants to see it he can ask his excellency the Governor. That is a lot more courtesy than is extended to me by the government of this country."

"Now, Sir, I have said that due to the ham-handling of this whole question by the British government and the silly, sloppy sentimentality, particularly of the labor party, the whole thing was messed up and I told the Secretary of State then that there was just no chance of doing anything about Federation and as far as they were concerned there was not a hope of converting the African to Federation. And, of course, events subsequently proved that the views that I expressed were fully correct. Well, Sir, after the publication of the report on Federation my colleagues and I returned once again to the charge and we asked that this matter could be dealt with."

"I now come to what I consider one of the most interesting parts of my contribution this morning, because after my experience of nearly ten or twelve years in the legislature and dealing with the Colonial Office I thought I had got to the stage where I was shock-proof and that there was nothing so stupid that the Colonial Office could do that it would upset me; but I found that I was wrong because they produced a new move that certainly shook me out of any complacency that I may have had in that direction. The Secretary of State, after our further representations, then informed us here through his Excellency the Governor that he was now prepared to agree to the changes we had proposed with certain qualifications. . . The Secretary of State said that the first qualification was that the proposals put forward had to receive the consent of the African Representative Council, a body, Mr. Speaker, that in passing I think I ought to refer to. It is a body that was created by this Legislature; that has no executive function whatsoever; an advisory body that was created as the result of the motion proposed by Sir Stewart Gore-Brown (former European unofficial member for African interests) and, I believe, seconded by myself; a body that was created with the idea of trying to give the African an opportunity, as I understood it, to learn something about our democratic methods and form of government. We had

now got to the stage, Sir, which I would ask the House to mark, that the Secretary of State for the Colonies had decided that, before something that had been agreed on by this legislature, by the government of this country, could be accepted, we now had to get the consent of this advisory body. Then he also laid down another condition, and that was that there was to be no change in the membership of either the Legislative Council or the Executive Council until the end of the life of this present Council. Then, Sir, he laid down the final qualification that the Member for Broken Hill (Sir Roy) would have to be one of the new members holding portfolio. Sir, I trust I kept to polite language but I also trust I left him under no doubt as to what my reactions were to that proposal, and I believe I was strongly supported by my elected colleagues who endorsed my view that it was not, in our opinion, the function of the Secretary of State to tell us of who of our elected colleagues would represent us in holding portfolio or in Executive Council." (This move of the Secretary of State for the Colonies in 1948-49 would have kept Sir Roy out of the Federal Government altogether.)

"... I felt that the Secretary of State, at that time Mr. James Griffiths, went out of his way to be offensive to the Europeans of this country, because he then informed us that no talks could take place in London on those matters unless they were attended by Africans. We never suggested that Africans should be excluded, never suggested it, but we took the greatest exception to the suggestion that we could not talk to the Secretary of State for the Colonies unless Africans were there. . .

"Arising from all this I have to admit that I personally began to share the bewilderment of the Socialist Government as to what they wanted. I began to be almost in as much of a fog as they were in trying to decide what they were trying to do. . .

"Then there came about a change of government in the United Kingdom. Once again Federation came to the fore, and we asked that this matter should be considered. . . We had further discussions in London with the present Secretary of State (Lyttleton) and it was finally agreed that once the Federation issue was out of the way, one way or the other, whether it was Federation or no, this question of Northern Rhodesia's constitution would be settled."

(At this point Sir Roy outlined the requests he and Mr. Beckett made in London in September. The list of these requests is on page six of this letter.)

"Now let me deal with the result of these requests. The Secretary of State was quite reasonable about the question of elected members. He said he would be prepared to agree to an increase of two. He could not agree to our request in Executive Council, he said there would have to be five officials and four unofficials. For the love of me I have never been able to understand why, but we could not change that attitude, it had to be five; there was some magic quality about having a majority of officials in Executive Council and we were unable to change him from that. . .

"Sir, it was during the course of these discussions that one of the main problems that concerns us arose. That is the question of the status of British protected persons and the franchise. . . The matter had not been discussed here previous to our departure to London and I did not know it was going to be raised. . . . The question that we were asked to consider was, what would be our attitude to putting British protected persons in the position to vote, the present qualifications to stand except for the fact that they would no longer have to

be British subjects.

"I think it implies this: It would mean that, if this were to come about, the African in this country would have all the power of a British subject but none of the responsibilities. He would be entitled to vote without becoming a British subject but he would not be liable for compulsory military service or any of the other responsibilities that go with being a British subject. I need hardly say that this proposal was not accepted by the honorable member for the South-Western Area (Mr. Beckett) and myself. . .

"I think the government of the United Kingdom has got to make up its own mind. I would submit to them that they have to stop what I have almost wanted to describe as "playing the fool," but I should not say that, it is not a strictly parliamentary term; what I think they ought to do, in strict language, is to clear their own minds on what they want. Do they want the African to develop in this country on the normal democratic lines, that is through a parliamentary franchise, or do they want him to develop his parliamentary institutions on the basis of representation by color?

". . . We in this country have the common voters' roll. We know that quite a number of Africans could go on the common voters' roll if they cared to take the trouble to become British subjects. I have not looked at the latest voters' roll but I am told that up to now only three or four have taken advantage of it. I am told that the objection to becoming a British subject is based on the fact that they do not want to lose their African nationality. That, Sir, strikes me as being a most peculiar attitude because I can see nothing wrong with a man retaining his African nationality and being a British subject. . .

"Sir, I agree that the Secretary of State for the Colonies has only implied that this matter is going to be considered. But my experience of the last few years is this, that first of all when you indicate to the African people here, who are immature politically, . . . that a thing has got to be considered it is almost inevitable, in my opinion, that the African community will say, 'Well, you said a year ago that the matter was going to be considered,' and that in the course of three or four years they will want the thing applied. I think that is being dishonest, let me say that categorically. . .

"I would like to finish on this note. We, the elected members, and I think I speak for us all, feel that we have got justifiable cause for concern about the way things have gone. We want to see the African advance politically at a reasoned, steady rate. We want to see his political advance associated with his economic advancement, and we want to see him progress steadily, in his interests and in the interests of the country. (Mr. Beckett: "Hear, hear!") But I would ask any reasonable person, whether in the light of some of the facts that I have disclosed today they feel that we are being unreasonable. I submit that we, as elected representatives here in this legislature, are responsible, I say this with conviction, not only for the interests of the white man but also of the black man. I say that the history of the last three years has indicated to us that there is a very great need for us to show constant vigilance in regard to the attitude of the British Government, the various British Governments, and I would like to wind up with this note, Sir, that as far as we are concerned we are going to maintain this vigilance and, what is more, categorically I would say this morning that we will not tolerate any reckless experiments in this country."

Mr. Geoffrey Beckett, generally considered Sir Roy's second-in-command, seconded the motion, pointing out several alleged instances where he had been

denied access to government documents as a member of the Executive Council. Since this seems to have nothing to do with the matter of the actual decision as handed down by Lyttleton, I have avoided inserting it.

Colonel Wilson, the unofficial elected member representing Ndola, also spoke in favor of the motion. He paid special attention to the section which declared that the Secretary of State for the Colonies was prepared to discuss the extension of the franchise to include British protected persons. I include part of his speech to show a typical example of the attitude here towards the Colonial Office in London:

"In this country, Sir, the African protected person has great privileges. He has a very large proportion of the land in the country. I believe it is somewhere like 97 per cent set aside in perpetuity for his sole use. He pays no income tax whatsoever. He is not subject to conscription. I could go on for a long time with various special privileges that the African has but I do want to make the point that I just cannot understand how anyone with any sense of justice can really believe that it would be possible for a protected person with all those privileges also to have the same privileges as a white man in this country. We are not asking for anything special for Europeans, we are not asking for anything special for anyone else, but we do say what is fair for one is fair for the other and I think that is the position which nobody can reasonably deny.

"It is quite true that the Secretary of State only said that he was prepared to consider it, but we know only too well that once you consider a matter (it) is open to argument (and) then a decision can be made one way or the other; and if the same state of affairs arose over this question of protected persons having the franchise as arose over the other arguments in London, exactly the same occurrence would happen. That is to say the Secretary of State would say, 'You cannot agree and I am going to make a decision.' Well, the present Secretary of State might decide one way, but if this is put off some future Secretary of State might decide another way and then I am quite certain that the decision that protected persons should be allowed to have a vote would create endless trouble in this country.

". . . I would point out that the honorable members on the other side of the House have been schooled and conditioned for the whole of their careers in the firm conviction that the Imperial Government, and the servants of the Imperial Government, the Colonial Office, which is their particular master, cannot possibly make a mistake or cannot possibly be wrong. That is the axiom which is inculcated into them from the very earliest day that they join the service. (Sir Roy: "Almost with their mothers' milk!") And I can quite appreciate their point of view. It is their duty to keep on saying that whether they believe it or whether they do not. And knowing them so well I know quite well that there must be quite a few occasions when they do not, but their duty compels them to say so.

"Now, Sir, we on this side of the House have not suffered from that form of schooling and conditioning. We have been, I hope, allowed to use our own intelligence and we can read, most of us, and we have read history, and history tells us that there is practically no stupid and silly mistake which could be made which has not been made at some time by the Imperial Government and the Colonial Office. You have only got to read the history of the colonies, of this country, and it is one continuous muddle after another. I do not want to be

unreasonable about it. A tremendous amount of good work has been done, but I am not prepared to accept this axiom that the Imperial Government can make no mistakes.

"We have only got to look around us at the present moment, even if one does not care to study history. One can only think of the endless trouble there has been for the last ten, twelve, or fifteen years in Malaya, one continuous battle year after year, products of muddle in the first instance. You have only got to look a little further North in this country--bloodshed, bloodshed, bloodshed! That again is just a result of ill-considered action from Great Britain originally. And of course the latest example of all is in British Guiana where the ill-considered handing out of the franchise, the franchise to people who were not in a fit state to understand what the franchise meant or really what that sort of government meant, has resulted in a necessity to suspend the constitution.

"I think, Sir, that those examples which are right under our noses are quite sufficient for us to say to ourselves, 'Whatever decision may be arrived at by the Colonial Office, whatever decision may be arrived at by the British Parliament, we do not have to take it for gospel.' It is our duty to examine it and see as well as we can in the light of the knowledge that we have--and with all due respect I suggest that our knowledge is much better than, shall I say, the editor of the Manchester Guardian, wonderful paper though it is--I think with our local knowledge we are entitled to judge what is right and what is wrong and in this particular case I am convinced in my own mind that what the Secretary of State proposes is wrong and is liable to lead to trouble. It is something that I am prepared to protest against with the greatest power that I have within me."

Mr. Nightingale, the unofficial European member nominated represent African interests, presented the most coherent and well-organized argument against the motion. After expressing surprise that the conference in London resulted in failure, he went on to say:

"But Sir, the second surprise and the most fundamental one, was to find the reaction of my honorable colleagues, the elected members, to the Secretary of State's award. Now, the Secretary of State's statement consists of a preamble and three paragraphs and I wish briefly to examine that document. The preamble merely states that a deadlock had ensued and that the Secretary of State felt it incumbent upon himself to make a decision in the name of Her Majesty's Government. That is to say, there having been a deadlock, the Secretary of State assumed the position of an arbitrator and made an award.

". . . Turning now to the first paragraph, it merely is introductory and it suggests no change in the constitution. It expresses the opinion that in the natural development of things the time may come, the time ought to come, when the races of this country have become so integrated in political matters that separate racial representation will become unnecessary. Sir, I think that most honorable members, although they may feel as I feel, that this is very long-term policy indeed, I think they do feel that we ought to be able to look forward to a time when a man's seat in this Council will not depend upon his race but will depend upon him being regarded as fittest for the job. (African members: "Hear, hear!")

"I now come to the second paragraph, which deals first of all with the composition of the Legislative Council. And here, Sir, is where one begins to be surprised at the reaction of my honorable colleagues, for the main provisions of

this paragraph are, I maintain, precisely what the great majority of people expected. The honorable mover (Sir Roy) . . . said that he went to London with the intention of asking for three additional elected members but he was prepared to argue about it. That, I take it, means that he was going to ask for three, but he was prepared to accept two. . . Similarly, Sir, with regard to African representation, there was a general expectation that there would be an increase in African representation commensurate with the European increase. As long ago as December, 1952, his Excellency the Governor addressing the African Representative Conference, warned them that it would be unwise for them to expect too great or too rapid an increase after such a short time, but he did use language which left no doubt in anyone's mind, that the outcome of these consultations would be an increase in African membership. That, Sir, was expected, and that, I maintain, was a reasonable expectation and in every way fair.

"There are two other matters in that paragraph, there is an indication that in the future there will be no need for the Economic Secretary to sit in this House (Sir Roy: "Shame!") and while I, personally, shall be very sorry to see him go, I have not gathered from the opening speeches that that was at any rate the main cause of the indignation that was aroused. . . .

"The paragraph then goes on to the Executive Council, and here again, Sir, I am genuinely bewildered that honorable elected members are so dissatisfied. It is true the honorable mover has said that he would have liked to have seen Executive Council consist of eight members, four official and four unofficial, but it has often been said, and it is true, that that august body very rarely proceeds by a show of hands and I gather from the honorable mover's speech that this was not one of the main points which he wished to raise.

"Now, Sir, that brings me to the end of the Secretary of State's award; but, I suspected yesterday, and the speech that we have just listened to has confirmed my suspicion, that the objection that has been raised is not based primarily against the award but against the third paragraph which is tacked on to the award. Sir, the motion says, 'that the proposed constitutional changes are unacceptable,' and I submit that all the proposed constitutional changes are contained in the second paragraph and that the third paragraph--while a matter of great interest and a matter of great moment and concern--is not part of the award which we are asked to declare unacceptable.

"The Secretary of State deals with a contentious matter and says that he is prepared to discuss it. I sometimes wonder, Mr. Speaker, if I am such a good democrat as I ought to be and such a good democrat as my colleagues, but it does seem to me that a Secretary of State who refused to discuss a matter which was agitating the minds of people in this country would not be a suitable leader for a democratic government."

Mr. Sergeant, unofficial elected member from Lusaka, is a remarkably inept speaker (who is seeking election to the Federal Parliament) who spoke but added little to the debate. The same might be said about Mr. L'Ange who finally had to be cut off in mid-oratory by the Speaker for straying too far from the subject. He could not recover his train of thought sufficiently to continue.

Mr. Sokota, African unofficial member elected by the A.R.C., gave the Native side of the picture. He was one of the two Africans who attended the talks in London. A curious thing about African delegates to this sort of conference is the fact that they are sent merely to present the Native side of the picture. They cannot arbitrate and if the decision handed down does not fulfill all the

demands they have made, they must refuse to accept the decision until they have been able to consult with the people who sent them. This is what happened in this instance. At the close of the London talks, Mr. Sokota and Mr. Yamba issued the following statement: "For the third time we are returning to Northern Rhodesia from London bitterly disappointed. As soon as we arrive at home we must strongly request the government of Northern Rhodesia to summon the African Representative Council to examine the points made by the Secretary of State for the Colonies on the constitution of Northern Rhodesia. Meanwhile, we cannot in the name of our people accept the decisions of the Secretary of State, as they represent a further extension of political power to the settlers in the territorial legislature and do not even go half-way to meet the views presented by us." It is noteworthy that the African Representative Council accepted the Secretary of State's message, thereby canceling the strong statement made by Mr. Yamba and Mr. Sokota in London. The two delegates merely could not accept anything less than their demands.

In the debate Mr. Sokota made the following statements:

"The honorable mover, the member for Broken Hill, remarked that he thought that we had joined hands with him in protesting against the decision taken by the Colonial Secretary. That is how I understood him, because he thought we protested while we were in England about the decision, but I would like the honorable member to remember one thing, what happened while we were in England was that the awards were presented to us; then we examined them and we answered that on behalf of our people we cannot say that we either accept them or reject them; that we were going home to consult our people and, Sir, we have done our best. We have had meetings with our people and they have given us their opinions from which we understand that we should not reject what we have been given. Therefore as the representatives of the African people we do not join hands with the honorable member in this matter, and I think when it comes to a division he should know where we will be. Sir, when I say that point, I mean that in protesting against this award we have had no common ground. If the honorable member for Broken Hill intended to support our demands for parity he could certainly expect us to join hands with him but we could not assist him in digging our own graves.

". . . Sir, as far as I recollect, the government has been blamed for having this franchise question discussed. On that concern I must defend the government. It is not the government that brought up this matter. We, the African representatives, brought up that matter. It was one of the points we thought we should settle first. We insisted on franchise; first, that unless franchise was settled then we could not go on to other questions.

"I wonder, Sir, when the honorable mover said that he did not know that this question was going to be raised, does he imply that we representatives of African interests knew all that the elected members were going to present? We never knew it. I think then the time must come that the representatives of the two races in this country whenever they are going to talk on some matters to approach the Colonial Office, I think first of all they should know what each group was going to say, because if we did not know what elected members were going to say why should they know what we were going to say?"

Mr. Yamba, the other unofficial African member, did not have much to add to what Mr. Sokota had already said. He spoke with a great deal of emotion, accusing Sir Roy of closing the door of friendship. He then asked three questions: (1) Is the honorable member for Broken Hill frightened of the rights to vote to be given to the British protected persons in this country? (2) Is he now folding his out-

stretched hand of friendship to the African because the African may happen to be in a position where his people happen to be? (3) Is it his belief that as long as the world remains in existence the black must be treated as a second-class citizen in his own country?

Mr. Moffatt, the other European unofficial member nominated to represent African interests, presented a very clear, lucid argument. He argued that the protest was unconstitutional--and pointed out that the attitude taken by Sir Roy and his cohorts was unreasonable.

Mr. Robertson, elected member from the North-Eastern Electoral District, merely restated what had previously been said by Sir Roy, Col. Wilson, and Mr. Beckett.

For the Government (official members) refuted the charges of non-cooperation made earlier by Mr. Beckett. The Chief Secretary (Prime Minister), Mr. Williams, then went on to say that most of the argument against the constitutional changes consisted of the possibility of discussions of extension of the franchise to British protected persons.

At that point the debate ended, and Sir Roy rose to deliver his rebuttal. He had nothing new to say, but rather went on to repeat some of the points he had made in his first speech. He answered Mr. Yamba's questions as follows:

"(1) Adult suffrage in this country would mean that every adult over the age of 21, without any other qualification, would be entitled to vote. Therefore, as far as the Legislative Council is concerned, it would mean this: That, except for the honorable gentlemen who would be retained on the other side (official members)--I do not know in those circumstances if it would mean that--everyone on this side (elected members) would be an African, because the relation of the numbers is such that that would be inevitable. So I would submit, Sir, that the honorable member knows that just as well as I do, and any request for adult suffrage is nothing else but a direct request for domination.

"(2) He then asked me, Mr. Speaker, whether I am folding my arms, and that is with reference to a gesture that I had made some time ago when I said that I held out a hand in friendship to the Africans. Sir, I do not go back on a gesture of that nature, but at the same time I must say that I get a little bit tired of dealing with words which the Africans seem to enjoy. Now, the honorable member sees nothing wrong in asking for adult suffrage which in my opinion is completely against the whole basis of partnership in this country, he sees nothing wrong in that. I see something very wrong with that. I repeat that as far as I am concerned I am as friendly disposed towards the African people as I have ever been. If the honorable member doubts that he has only to look at any budget session that has taken place in this House for nearly fifteen years and he will see how I have supported every matter that has come forward in the interests of the African, often at the expense of the European, because he is the major taxpayer.

"(3) Now, Sir, the honorable member made a reference to the question of second-class citizenship. These things may sound very good on a platform, these suggestions and implications that in this country we hard-hearted Europeans are keeping the African down and that they are second-class citizens. Well, I repeat the question I asked this honorable gentleman some time ago: If the Africans become, as he calls them, first-class citizens are they prepared to forgo their land rights? I will not go into anything else. I ask him that simple question.



For the rest of his talk, he merely got an assertion from the Attorney-General that the motion was constitutional (in answer to Mr. Moffatt's charge). With that, debate closed and a vote was taken. The motion was defeated, seven votes to thirteen. All the nine official members and the four unofficial members representing African interests (both European and Native) voted against the motion. Seven of the elected members voted for the motion. Three elected members were absent.

From this, it would appear that Sir Roy had lost his fight. That evening as we were going out to dinner with Stewart Parker, we stopped by Sir Roy's house to deliver some papers. Sir Roy was being forcibly wrapped in white tie and tails to attend a dinner in honor of Lord Llewellyn, the Governor-General of the Federation. Sir Roy was not in a good mood. He protested against having to wear his decorations. He fought his son's efforts to adjust his necktie. And, as he prepared to go, he turned and asked me if I was a mystery story fan. I allowed as how I was, and he then, very pointedly, said, "After today, the only thing I want to do is relax somewhere with a Mickey Spillane (I, the Jury; My Gun Is Quick)." Then fussing and fuming, he was bundled into his Chevrolet and driven off to dinner. I got the impression that he had been licked.

A few days ago Julie and I drove from Salisbury to Marandellas (about 40 miles) with Sir Roy, his son Michael, and Stewart Parker. He was going to address a political meeting and had invited us to go along. On the way, I asked him what his position was now as far as the constitutional changes were concerned. He slowed half-way around in the front seat and chuckled happily. "Things are going fine," he said. "I lost the first round, but it looks as if I may win the fight after all. I've just heard from the government (the Governor of Northern Rhodesia) that he has been authorized to begin discussions with me about the matter. And the best thing about it is they have backed down from trying to make me accept the constitutional changes before they talk about it any more. That must have come straight from London. I could settle the matter right now, I suppose. But now that they're on the hook, I don't see any reason to let them off right away." He laughed, then gave a critical look at the speedometer. He has an acute dislike of driving at any rate of speed over 50.

His position (and that of his followers) is now that they are still resigned from their cabinet and committee posts. But the battle seems to have swung in their direction. Although the Secretary of State has not agreed to come to Northern Rhodesia in person, he has authorized the Governor of Northern Rhodesia to enter into discussions with Sir Roy on his behalf.

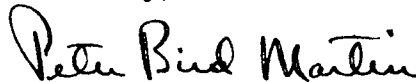
How does public opinion feel about the crisis? At first, it seemed to oppose Sir Roy. Most of the people with whom I talked in the first days after the resignation seemed to think that Sir Roy had been too hasty--that he was making a mountain out of a mole hill and that the course of action upon which he had decided was irresponsible.

Now opinion has swung the other way. They agree with Sir Roy--they feel that it was high time the Colonial Office was given notice that its interference into matters of franchise and direct Native administration is not welcome. They are behind him in arguing that the time is not yet ripe to begin discussions of a general franchise for British protected persons. Which, in effect, is at the bottom of all of Sir Roy's manoeuvres.

How has it affected the political campaign? The Federal Party chances, which were considered poor on the Copper Belt in Northern Rhodesia because of the high concentration of Afrikaners there, have picked up tremendously. Before Sir Roy made his move, the Confederates were making political capital of the fact that the Secretary of State for the Colonies had advocated talks on extending the franchise to British protected persons. They asked: Since Sir Roy was there, why didn't he do anything about it? Hasn't he let you down? Sir Roy has answered those questions with a vengeance and that line of campaign talk has suddenly disappeared from Confederate Party speeches.

The issue has not been decided. But as of now, it looks as if Sir Roy will win some sort of victory. And in doing so, he will become more of a popular hero and leader than he has ever been before.

Sincerely,

A handwritten signature in cursive script that reads "Peter Bird Martin".

Peter Bird Martin

Received New York 12/7/53.