

INDEPENDENCE CONSTITUTION [1960]

In 1956, Lyttleton constitution was originally scheduled for review, but the review was unrealistic because there was a serious crisis in the eastern region over allegation of financial impropriety which was leveled against the premier of eastern region Dr. Nnamdi Azikwe by E.O. Eyo, Chief whip eastern house of assembly of injecting two million pounds of public money to Africans continental bank, A bank that was not profitable at the time. Just because Azikwe and his family had interest in the bank. A commission was set up to probe the allegations. Following the commission's report which indicted Azikwe of impropriety the eastern house of assembly was dissolved and Fresh elections were held. In this election, DR NNAMDI AZIKWE was re elected premier with a very large majority.

This election signified an end to the eastern regional crises, a crises that made it difficult for the expected 1956 review of Lyttleton constitution to take place

By 1957 when the eastern regional crisis was resolved, the secretary of state for the colonies announced that the postponed constitutional conference could now hold.

FEATURES OF INDEPENDENCE 1960

1. It provided for Westminster's [parliamentary] form of government. The government will be headed by the prime minister while a Governor General will be Head of State
2. It was monarchical because it recognized the Governor General as a representative of the Queen of England
3. The privy council of the House of Lords in London was recognized as the highest court of Nigeria
4. The constitution was federal. It divided powers into concurrent, exclusive and residual jurisdiction
5. The constitution was written and rigid
6. A judicial service commission was established to recommend judges for appointment into the higher courts and supreme court
7. It provide for bi-cameral federal legislature. House of Representatives and the Senate. Each region would produce representatives based on population while each region provided the same numbers of senators; each region was represented by 12 senators.
8. Fundamental human rights were entrenched in the constitution to allay the fears of minority groups and preserve individual freedom
9. The constitution defined who a citizen was and how to acquire citizenship
10. The constitution contained the procedure for amendment.
11. It laid down the procedure for creating new regions, e.g. Mid- Western region was created in 1963
12. The federal government was given the power to declare a state of emergency in any part of the country

ACHIEVEMENTS OF THE INDEPENDENCE CONSTITUTION OF 1960

1. It ushered in independence for the country
2. The regional and central governments had bi-cameral legislatures
3. It made provisions for the fundamental human rights of citizens
4. Nigeria became the 99th member of UNO, after her independence
5. It defined citizenship and how it could be acquired
6. It divided the legislative powers of the government into 3, exclusive, concurrent and residual list
7. Appointment of Supreme Court and High Court judges was stipulated in the constitution with advice from the Judicial Service Commission.

WEAKNESSES OF INDEPENDENCE CONSTITUTION

1. Partial independence was achieved because it did not bring total sovereignty to the country. The queen was still the head of state
2. Final court of appeal was the privy council in London, even though there was a supreme court in the country, it had no power over appellate cases
3. There was the possibility of Britain still interfering in the internal affairs of the country as long as the Queen remained Head of State

REASONS FOR POLITICAL INSTABILITY IN NIGERIA AFTER INDEPENDENCE

1. Economic mismanagement; politicians embarked on prestigious and economically unviable project which did not benefit the citizens
2. Embezzlement and misappropriation of public funds by different regimes
3. Election rigging and persecution of public opponents remain the order of the day
4. Disregard for the constitution and the rule of law
5. Tribalism and nepotism, particularly in the appointment of public officers and in distribution of amenities
6. Disagreement on revenue allocation formula and control of resources among the ethnic groups
7. Political interference in military affairs
8. Religious intolerance and violence which threatened national unity
9. Bribery and corruption
10. There was economic hardship caused by inflation and unemployment
11. Census figures from headcounts were inflated by the component regions or states that make up the country
12. Foreign and external interference from big nations and institutions also promoted instability in the country.

